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NORTH AMERICAN REVIEW.

No. CCXLIV.

JULY, 1874.

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NORTH AMERICAN REVIEW.

No. CCXLIV.

JULY, 1874.

Art. I. — The Hanlin Yuan.

Near the foot of a bridge that spans the Imperial Canal a few rods to the north of the British Legation, the visitor to Peking may have noticed the entrance to a small *yamen*. Here are the head-quarters of the Hanlin Academy, — one of the pivots of the Empire, and the very centre of its literary activity.

On entering the enclosure, nothing meets the eye of one who is unable to read the inscriptions, that would awaken the faintest suspicion of the importance of the place. A succession of open courts with broken pavements, and covered with rubbish; five low, shed-like structures, one story in height, that have the appearance of an empty barn; these flanked by a double series of humbler buildings, quite inferior to the stables of a well-conducted farmstead, — some of the latter in ruins, and dust and decay everywhere: such is the aspect presented by the chief seat of an institution which is justly regarded as among the glories of the Empire! A glance, however, at the inscriptions on the walls — some of them in Imperial autograph — warns the visitor that he is not treading on common ground.

This impression is confirmed when, arriving at the last of the transverse buildings, it is found to be locked, and all efforts to obtain an entrance fruitless. Its yellow tiling is

suggestive; and the janitor, proof against persuasion, announces, with a mysterious air, that this is a pavilion sacred to the use of the Emperor. There, concealed from vulgar eyes, stands a throne, on which his Majesty sits in state whenever he deigns to honor the Academy with his presence.

Sundry inscriptions in gilded characters record the dates and circumstances of these Imperial visits, which are by no means so frequent as to be commonplace occurrences. A native guide-book to the "lions" of the capital, devoting eighteen pages to the Hanlin Yuan, dwells with special emphasis on the imposing ceremonial connected with a visit of Kienlung the Magnificent, in the first year of the cycle which occurred after the commencement of his reign.

From this authority we learn that the rooms of the Academy, having fallen into a state of decay, were rebuilt by order of the Emperor, and rededicated with solemn rites to the service of letters. His Majesty appeared in person to do honor to the occasion, and conferred on the two Presidents the favor of an entertainment in the Imperial pavilion. Of the members of the Academy not fewer than one hundred and sixty-five were present. "Among the proudest recollections of the Hall of Gems" (the Hanlin), says the chronicler, "for a thousand years there was no day like that."

The Emperor further signalized the occasion by two conspicuous gifts.

The first was a present to the library of a complete set of the wonderful encyclopædia called the *T'u-shu-chi-ch'eng*. Printed in the reign of Kanghi, on movable copper types, and comprehending a choice selection of the most valuable works, it extends to six thousand volumes, and constitutes of itself a library of no contemptible magnitude.

The other gift, less bulky, but more precious, was an original ode from the Imperial pencil. Written as an impromptu effusion in the presence of the assembled Academicians, it bears so many marks of premeditation that no one could have been imposed on by the artifice of Imperial vanity. It is engraved after the original autograph on a pair of marble slabs, from which we have taken a copy.

In their native dress these verses are worthy of their august

author, who was a poet of no mean ability; but in the process of translation they lose as much as a Chinaman does in exchanging his flowing silks for the parsimonious costume of the West. At the risk of producing a travesty instead of a translation, we venture to offer a prose version.

ODE

COMPOSED BY THE EMPEROR KIENLUNG ON VISITING THE HANLIN YUAN IN 1744.

On this auspicious morning the recipients of celestial favor,
Rank after rank, unite in singing the hymn of rededication.
Thus the birds renew their plumage, and the eagle, soaring heavenward, symbolizes the rise of great men.
Those here who chant poems, and expound the Book of Changes, are all worthies of distinguished merit.
Their light concentres on the embroidered throne, and my pen distils its flowery characters,
While incense in spiral wreaths rises from the burning censer.
Before me is the pure, bright, pearly Hall;
Compared with this, who vaunts the genii on the islands of the blest?
A hundred years of æsthetic culture culminate in the jubilee of this day.
To maintain a state of prosperity, we must cherish fear, and rejoice with trembling.
In your new poems, therefore, be slow to extol the vastness of the Empire;
Rather by faithful advice uphold the throne.
I need not seek that ministers like Fu-Yuih shall be revealed to me in dreams;
For at this moment, I am startled to find myself singing the song of Yau (in the midst of my ministers).
In my heart I rejoice that ye hundreds of officers all know my mind,
And will not fan my pride with lofty flattery.
Happy am I to enter this garden of letters,
In the soft radiance of Indian Summer;
To consecrate the day to the honor of letters,
And to gather around my table the gems of learning;
But I blush at my unworthiness to entertain the successors of Fang and Tu.
Why should Ma and Tsieu be accounted solitary examples?
Here we have a new edition of the ancient Shih-chü (library of the Hans).
We behold anew the glorious light of a literary constellation.
But the shadow on the flowery tiles has reached the number eight;
Drink till you are drunk, — three times pass round the bowl.
When morning sunlight fell on the pictured screen,
We opened the Hanlin with a feast,
The members assembling in official robes.
We took a glance at the library, — enough to load five carts, and fill four storehouses.

We visited in order the well of Lew and the pavilion of Ko.
We watched the pencil trace the gemmy page,
While the waters of Fung-chau (the Pierian Spring) rise to the brim; and
in flowery cups we dispense the fragrant tea.
Anciently ministers were compared to boats which crossed rivers;
With you for my ministers I would dare to encounter the waves of the sea.

From this effusion of Imperial genius we turn again to the august body in whose honor it was written, and inquire, Where are the apartments in which those learned scribes labor on their elegant tasks? Where is the hall in which they assemble for the transaction of business? and where the library supplied by Imperial munificence for the choicest scholars of the Empire? These questions are soon answered, but not in a way to meet the expectations of the visitor. The composing-rooms are those ranges of low narrow chambers, on either hand of the entrance; some of them bearing labels, which indicate that it is there the Imperial will puts on its stately robes; but they are empty, and neither swept nor garnished.

Those of the members who have special functions are employed within the precincts of the palace, while the large class known as probationers prosecute their studies in a separate college called the *Shu-ch'ang-kwan*. Common hall, or assembly-room, there is none. The society holds no business meetings. Its organization is despotic: the work of the members being mapped out by the directory, which consists of the Presidents and Vice-Presidents. In an out-of-the-way corner, you are shown a suite of small rooms, which serves as a vestry for these magnates, where they drink tea, change their robes, and post up their records. For this purpose they come together nine times a month, and remain in session about two hours.

As for the other members, they convene only on feast-days as marked in the rubrics of the state, and then it is merely for the performance of religious rites or civil ceremonies. The ritual for both (or rather the calendar) is conspicuously posted on the pillars of the front court, suggesting that the sap and juice of the Academy have dried up, and that these husks of ceremony are the residuum.

So far as this locality is concerned, this is true; for though the Academy exists, as we shall see, in undiminished vigor, the work intended to be done here is transferred to other

places; and but for occasions of ceremony, these halls would be as little trodden as those of the academies of Nineveh or Babylon. Of the ceremonies here performed, the most serious is the worship of Confucius, before whose shrine the company of disciples are ranged in files, near or remote, according to their rank, kneel three times in the open court, and nine times bow their heads to the earth. A more modern sage, Han-wen-kung, whose chief merit was an eloquent denunciation of Buddhism, is revered as the champion of orthodoxy, and honored with one third this number of prostrations.

Besides the temples to these lights of literature, there is another shrine in which incense is perpetually burning before the tablets of certain Tauist divinities, among them the god of the North Star.

The juxtaposition of these altars illustrates the curious jumble of religious ideas which prevails even among the educated classes. If Confucianism, pure and simple, calm and philosophic, were to be found anywhere, where should we expect to meet with it, if not in the halls of the Hanlin Yuan? As to the library, it must have been at least respectable in the palmy days of Kienlung, — that Emperor having replenished it, as we have seen, by a gift of six thousand volumes. Copies of a still larger collection of works, the *Sze-k'u-ch'uen-shu*, printed in the earlier part of the same reign, were deposited there, as also a manuscript copy of the immense collection known as *Yung-lo-ta-tien.*

But in China libraries are poorly preserved; books have no proper binding, the leaves are loosely stitched, the paper flimsy, and adapted to the appetite of a variety of insects, while their official guardians often commit depredations under the influence of an appetite not altogether literary.

Through these combined influences, the Hanlin library has dwindled almost to a vanishing point. Two of the book-rooms being within the sacred enclosure of the Imperial pavilion, the writer was not permitted to see them. The greater part of the books have been transferred elsewhere; and the condition of those that remain may be inferred from that of the only book-room that was accessible. Its furniture consisted of half a dozen cases, some locked, some open, — the latter empty; the

floor was strewn with fragments of paper, and the absence of footprints in the thick deposit of dust sufficiently indicated that the pathway to this fountain of knowledge is no longer frequented.

But things in China are not to be estimated by ordinary rules. Here the decay of a building is no indication of the decadence of the institution which it represents. The public buildings of the Chinese are, for the most part, mean and contemptible in comparison with those of Western nations; but it would not be less erroneous for us to judge their civilization by the state of their architecture, than for them, as they are prone to do, to measure ours by the tape-line of our tailor. With them architecture is not a fine art; public edifices of every class are constructed on a uniform model; and even in private dwellings there is no such thing as novelty or variety of design. The original idea of both is incapable of much development; the wooden frame and limited height giving them an air of meanness; while the windowless wall, which caution or custom requires to be drawn around every considerable building, excludes it from the public view, and consequently diminishes, if it does not destroy, the desire for æsthetic effect. Materialistic as the people are in their habits of thought, their government, based on ancient maxims, has sought to repress rather than encourage the tendency to luxury in this direction. The genius of China does not affect excellence in material arts. With more propriety than ancient Rome she might apply to herself the lines of the Roman poet: —

> "Excudent alii mollius spirantia æra
> . . . . Tu regere imperio populos —
> Hæc tibi erunt artes, pacisque imponere morem."

For not only is the Chinese notoriously backward in all those accomplishments in which the Roman excelled, but, without being warlike, he has equalled the Roman in the extent of his conquests, and surpassed him in the permanence of his possessions. With him the art of government is the "great study"; and all else — science, literature, religion — is merely subsidiary.

For six hundred years, with the exception of a brief interval, the Hanlin has had its home within the walls of Peking, —

witnessing from this position the rise of three Imperial dynasties, and the overthrow of two. Under the Mongols it stood, not on its present site, but a little to the west of the present drum-tower. Kublai and his successors testified their sense of its importance by installing it in an old palace of the Kin Tartars. Eo-yang-ch'u, a discontented scholar of a later age, alluding to the contrast presented by the quarters it then occupied, laments in verse

> "The splendid abode of the o'd Hanlin,
> The glittering palace of the Prince of Kin."

The Ming Emperors removed it to its present position, appropriating for its use the site of an old granary. The Tsing Emperors had a palace to bestow on the Mongolian Lamas, but allowed the Hanlin to remain in its contracted quarters, erecting at the same time, in immediate contiguity, a palace for one of their princes. This is now occupied by the British Legation, whose lofty chimneys overlook the grounds of the Academy, and so menace the *fung-shuy* (good luck) of the entire literary corporation. If this were the whole of its history, the Hanlin would still enjoy the distinction of being more than twice as ancient as any similar institution now extant in the Western world; but this last period — one of few vicissitudes — covers no more than half its career. Its annals run back to twice six hundred years, and during that long period it has shared the fortunes and followed the footsteps of the several dynasties which have contended for the mastery of the Empire. From its nature and constitution attached to the court, it has migrated with the court, now north, now south, until the capital became fixed in its present position. At the beginning of the fifteenth century, the Academy was for a few years at Nanking, where Hungwu made his capital. During the period of the Crusades it accompanied the court of the southern Sungs as they retired before the invading Tartars, and fixed at Hangchau the seat of their semi-empire. For two centuries previous it had shed its lustre on Loyang, the capital of the northern Sungs.

During the five short dynasties (907 – 960) it disappears amid the confusion of perpetual war, though even then each aspirant for "The Yellow" surrounded himself with some

semblance of the Hanlin, as a circumstance essential to Imperial state; but its earliest, brightest, and longest period of repose was the reign of the Tangs, from 627 to 904, or from the rise of Mahomet till the death of Alfred. For China this is not an ancient date; but it was scarcely possible that such a body, with such objects, should come into existence at any earlier epoch. Under the more ancient dynasties the range of literature was limited, and the style of composition rude. It is not till the long reign of the house of Han that the language obtains its full maturity; but even then taste was little cultivated, — the writers of that day being, as the native critics say, more studious of matter than of manner. During the short-lived dynasties that followed the Han and Tsin, the struggle for power allowed no breathing-time for the revival of letters; but when the Empire, so long drenched in blood, was at length united under the sway of the Tangs, the beginning of the new era of peace and prosperity was marked by an outburst of literary splendor.

For twenty years Kaotsu, the founder, had been involved in sanguinary conflicts. In such circumstances valor was virtue, and military skill comprised all that was valued in learning. In the work of domestic conquest, his most efficient aid was his second son, Shemin. Destined to complete what his father had begun, but with a genius more comprehensive and a taste more refined, this young prince was to Kaotsu what Alexander was to Philip, or Frederick the Great to the rough Frederick William. Studying the poets and philosophers by the light of his camp-fires, he no sooner found himself in undisputed possession of the throne than he addressed himself to the promotion of learning. In this he was only reverting to the traditions of an empire which from the earliest times had always been a worshipper of letters. But Taitsung (the name by which he is called in history) did not confine himself to the beaten path of tradition; he issued a decree that men of ability should be sought out and brought to court from their retired homes and secret hiding-places. His predecessors had done the same; but Taitsung formed them into a body under the name of Wen-hio-kuan, and installed them in a portion of his palace, where, the historian tells us, he was accustomed, in

the intervals of business, and late in the hours of the night, to converse with these learned doctors. The number of these eminent scholars was eighteen, in allusion possibly (though a Confucian would repudiate the idea) to the number of Arhants or disciples who composed the inner circle of the family of Buddha, — Buddhism being at that time in high repute. Among these, the most prominent were Fang-yuenling and Tu-juhui, who were afterwards advanced to the rank of ministers of state. We have already seen their names in the Ode of Kienlung, where they are alluded to as the typical ancestors of the literary brotherhood. This was the germ of the Hanlin Yuan.

Under previous reigns letters had been valued solely as an aid to politics; and scholarship, as a proof of qualification for civil employment. But from this time letters began to assume the position of a final cause, and civil employment was made use of as an incentive to encourage their cultivation. Previously to this the single exercise of answering in writing a series of questions intended to gauge the erudition and test the acumen of the candidate was all that was required in examinations for the civil service; but from this epoch taste presided in the literary arena, and compositions, both in prose and verse, in which elegance of style is the chief aim, became thenceforth a leading feature in the curriculum. That wonderful net which catches the big fish for the service of the Emperor, and allows the smaller ones to slip through, was during this dynasty so far perfected that in the lapse of a thousand years it has undergone no very important change. As might have been expected, the epoch of the Tangs became distinguished above all preceding dynasties as the age of poets. Litaipe, — whose brilliant genius was believed to be an incarnation of the golden light of the planet Venus, — Tufu, Hanyu, and others shed lustre on its opening reigns. Their works have become the acknowledged model of poetic composition, from which no modern writer dares to depart; and, under the collective title of the poetry of Tang, they have added to the Imperial crown an amaranthine wreath such as no other dynasty has ever worn. Litaipe was admitted to the Academy by Minghwang or Huentsung; the Emperor, on that occasion, giving him a feast, and, as native

authors say, condescending to stir the poet's soup with the hand that bore the sceptre.

It is not a little remarkable that the art of printing made its appearance almost simultaneously with the formation of the Academy, and the reorganization of the examination system. Originating in a common impulse, all three interacted on each other, and worked together as powerful agencies in carrying forward the common movement. The method of stamping characters on silk or paper had no doubt been discovered long before; but it was under this dynasty that it was first employed for the reproduction of books on a large scale. It was not, however, so employed in the reign of Taitsung. That monarch, resolving to found a library that should surpass in extent and magnificence anything that had been known in the past, was unable to imagine a more expeditious, or, at least, a more satisfactory method of producing books than the slow process of transcription. For this purpose a host of pencils would be required; and Taitsung, in the interest of his library, made a fresh levy of learned men who were elegant scribes as well as able scholars. To these, Huentsung, one of his successors, added another body of scholars, and, combining the three classes into one society, called it by the name of *Hanlin*, or the "Forest of Pencils," — a designation that was now more appropriate than it would have been when the number of its members fell short of a score.

When the printing-press was introduced as an auxiliary in the manufacture of books, it relieved the Imperial scribes of a portion of their labors, but it did not supersede them. Released from the drudgery of copying, they were free to devote their leisure to composition; and in China in the eighth century, as in Europe in the fifteenth, the art of printing imparted a powerful stimulus to the intellectual activity of the age.

Rising, as we have seen, in the halcyon days of Taitsung, the Hanlin Yuan was not long in attaining its full development. In the reign of Huentsung it received the name by which it is now known, and through twelve centuries, from that day to this, it has undergone no essential modification, either in its objects, membership, or mode of operation; if we

except, perhaps, the changes required to adapt it to the duplicate official system of the present dynasty. Its constitution and functions, as laid down in the *Ta-ts'ing-hwui-tien*, or Institutes of the Empire, is as follows : —

1. There shall be two presidents, — one Manchu and one Chinese. They shall superintend the composition of dynastic histories, charts, books, Imperial decrees, and literary matters in general.

2. The vice-presidents shall be of two classes, namely, the readers, and the expositors to his Majesty the Emperor. In each class there shall be three Manchus and three Chinese.

3. Besides these, the regular members shall consist of three classes, namely, Sinchoan, Piensieu, and Kientao, in all of which the number is not limited. These, together with the vice-presidents, shall be charged with the composition and compilation of books, and with daily attendance, at stated times, on the classic studies of his Majesty.

4. There shall be a class of candidates on probation, termed Shu-ki shi, "lucky scholars," the number not fixed. These shall not be charged with any specific duty, but shall prosecute their studies in the schools attached to the Academy. They shall study both Manchu and Chinese. Their studies shall be directed by two professors, — one Manchu and one Chinese, — assisted by other members below the grade of readers and expositors, who shall act as divisional tutors. At the expiration of three years they shall be tested as to their ability in poetical composition, the Emperor, in person, deciding their grades, after which they shall be admitted to an audience ; those of the first three grades being received into full membership, and those of the fourth grade, which comprises the remainder, being assigned to posts in the civil service, or retained for another three years to study and be examined with the next class.

5. There shall be two recorders, — one Manchu and one Chinese. These shall be charged with the sending and receiving of documents.

6. There shall be two librarians, — one Manchu and one Chinese. These shall be charged with the care of the books and charts.

7. There shall be four proof-readers, — two Manchus and two Chinese. These shall attend to the revision and collation of histories, memorials, and other literary compositions.

8. There shall be forty-four clerks, — forty Manchus and four from the Chinese Banners. These shall be employed in copying and translation.

9. The expositors at the classic table (of the Emperor) shall be sixteen in number, — eight Manchus and eight Chinese. The Manchus must be officers who have risen from the third rank or higher. The

Chinese also must be of the third rank or higher, having risen from the Academy. These shall be appointed by the Emperor on the recommendation of the Academy. The classic feasts shall take place twice a year, namely, in the second and the eighth months; at which time one Manchu and one Chinese shall expound the Book of History, and one Manchu and one Chinese shall expound the other classics, to be selected from a list prepared by the Academy. The subject and sense of the passages to be treated on these occasions shall, in all cases, be arranged by consultation with the presidents of the Academy, and laid before the Emperor for his approval. When the Emperor visits the "Palace of Literary Glory," these expositors, together with the other officers, shall perform their prostrations at the foot of the steps, after which their going in and out shall be according to the form prescribed in the code of rites. When they shall have finished their expositions, they shall respectfully listen to the discourses of the Emperor.

10. The daily expositors shall be twenty-eight Manchus and twelve Chinese. They shall be above the grade of Kientao and below that of president, and may discharge this duty without resigning their original offices.

11. Prayers and sacrificial addresses for several occasions shall be drawn up by the Hanlin and submitted to the Emperor for his approval. These occasions are the following: namely, at the Altar of Heaven; the Ancestral Temple; the Imperial Cemeteries; the Altar of Agriculture; sacrifices to mountains, seas, and lakes, and to the ancient sage Confucius.

12. The Hanlin shall respectfully prepare honorary titles for the dowager empresses; they shall also draw up patents of dignity for the chief concubines of the late emperor; forms of investiture for new empresses and the chief concubines of new emperors; patents of nobility for princes, dukes, generals, and for feudal states; together with inscriptions on state seals, — all of which shall first be submitted for the Imperial approbation.

13. The Hanlin shall respectfully propose posthumous titles for deceased emperors, together with monumental inscriptions and sacrificial addresses for those who are accorded the honor of a posthumous title, — all of which shall be submitted to the Emperor for approval.

14. The presidents of the Hanlin shall be *ex-officio* vice-presidents of the Bureau of Contemporary History, in which the Hanlin of subordinate grades shall assist as compilers and composers, reverentially recording the sacred instructions (of the Emperor).

15. Prescribes the order of attendance for the Hanlin when the Emperor appears in public court.

16. Prescribes the number and quality of those of the Hanlin who shall attend his Majesty during his sojourn at the Yuen-Ming-Yuen (Summer Palace).

17. Provides that those members of the Hanlin whose duty it is to accompany his Majesty on his various journeys beyond the capital shall be recommended by the presidents of the Academy.

18. Provides that when the Emperor sends a deputy to sacrifice to Confucius, certain senior members of the Academy shall make offerings to the twelve chief disciples of the Sage.

19. The Hanlin, in conjunction with the Board of Rites, shall copy out and publish the best specimens of the essays produced in the provincial and metropolitan examinations.

20. Prescribes the form to be used in reporting or recommending members for promotion, and provides that when an examination is held for the selection of Imperial censors, the Piensieu, and Kientao on recommendation, may be admitted as candidates.

21. Regulates examinations for the admission of probationary members.

22. Admits probationers, after three years of study, to an examination for places in the Academy or official posts elsewhere.

23. Provides for examinations of regular members in presence of the Emperor, at uncertain times, in order to prevent their relapse into idleness.

24. Provides for the promotion of members who are employed as instructors of probationers.

Such is the official account of the Hanlin as at present constituted; but what information does it convey? After all we have done in the way of explanation in connection with a rather free translation, it still remains a confused mass of titles and ceremonies, utterly devoid of any principle of order; and without the help of collateral information, much of it would be altogether unintelligible. Interrogate it as to the number of members, the qualifications required for membership, the duration of membership, the manner of obtaining their seats (a term which must be used metaphorically of an association in which all but a few are expected to stand), and it is silent as the Sphinx. Should one, with a view to satisfying curiosity on the first point, attempt to reckon up the number of classes or divisions, to say nothing of individuals, the number being in some cases purposely indefinite, one would certainly fail of

success. Some who are enumerated in those divisions are official *employés* of the society, but not members; and yet there is nothing in the text to indicate the fact; e. g. the proof-readers are Hanlins, the copyists and translators are not; the librarians are Hanlins, the recorders are not. We shall endeavor briefly to elucidate these several points.

Unlike the academies of Europe, which are voluntary associations for the advancement of learning under royal or Imperial patronage, the Hanlin is a body of civil functionaries, a government organ, an integral part of the machinery of the state: its mainspring, as that of every other portion, is in the central throne. Its members do not seek admission from love of learning, but for the distinction it confers, and especially as a passport to lucrative employment. They are consequently in a state of perpetual transition, spending from six to ten years in attendance at the Academy, and then going into the provinces as triennial examiners, as superintendents of education, or even in civil or military employments which have no special relation to letters. In all these situations they proudly retain the title of member of the Imperial Academy; and, in their memorials to the throne, one may sometimes see it placed above that of provincial treasurer or judge.

There are, moreover, several *yamens* in the capital that are manned almost exclusively from the members of the Hanlin. Of these, the principal are the *chan-shih-fu* and the *ch'i-chü-ch'u;* both of which are in fact nothing more than appendages of the Academy. The former, the name of which affords no hint of its functions, appears to bear some such relation to the heir-apparent as the Hanlin does to the Emperor. The beggarly building in which its official meetings are held may be seen on the banks of the canal opposite to the German Legation. It is, nevertheless, regarded as a highly aristocratic body, and gives employment to a score or so of Academicians. The other, which may be described as the Bureau of Daily Record, employs some twenty more of the Hanlins in the capacity of Boswells to the reigning Emperor, their duty being to preserve a minute record of all his words and actions.

Among the Imperial censors, who form a distinct tribunal, a majority perhaps are taken from the ranks of the Hanlin, but

they are not exclusively so; while the higher ranks of the Hanlin, without being connected with the censorate, are *ex-officio* counsellors to his Majesty. Of those whose names are on the rolls as active members of the Academy in regular attendance on its meetings, the number does not exceed three or four score; though on great occasions, such as the advent of an emperor, the ex-members who are within reach are called in and swell the number to twice or thrice that figure. Besides these are the probationers or candidates, to the number of a hundred or more, who pursue their studies for three years under the auspices of the Academy, and then stand an examination for membership: if successful, they take their places with the rank and file of the Imperial scribes; otherwise, they are assigned posts in the civil service, such as those of sub-prefect, district magistrate, etc., carrying with them in every position the distinction of having been connected, for however brief a time, with the Imperial Academy. Without counting those rejected candidates, whose claim to the title is more than doubtful, the actual and passed members probably do not fall short of five hundred.

The qualifications for membership are two, — natural talent, and rare acquisitions in all the departments of Chinese scholarship; but of these we shall treat more at length hereafter. The new members are not admitted by vote of the association, nor appointed by the will of their Imperial master. The seats in this Olympus are put up to competition, and, as in the Hindoo mythology, the gifted aspirant, though without name or influence, and in spite of opposition, may win the immortal *amreet*. None enter as the result of capricious favor, and no one is excluded in consequence of unfounded prejudices.

The Hanlin Yuan has not therefore, like the Institute of France, a long list of illustrious names who acquire additional distinction from having been rejected or overlooked; neither does it suffer from lampoons, such as that which a disappointed poet would have fixed on his own tombstone at the expense of the French Academy, —

> "Ci-gît Piron, qui ne fut rien,
> Pas même académicien."

In the Chinese Academy the newly initiated has the proud

consciousness that he owes everything to himself, and nothing to the complaisance of his associates or the patronage of his superiors.

Of the duties of the Hanlin, these official regulations afford us a better idea, — indicating each line of intellectual activity, from the selection of fancy names for people in high position, up to the conducting of provincial examinations and the writing of national histories; but the advancement of science is not among them. They do nothing to extend the boundaries of human knowledge, simply because they are not aware that, after the achievements of Confucius and the ancient sages, any new world remains to be conquered. Towards the close of the last year, the Emperor, by special decree, referred to the Academy the responsibility of proposing honorific titles for the Empress dowager and the Empress mother. The result was the pair of euphonious pendants, K'angyi and K'angki, with which the Imperial ladies were decorated on retiring from the regency; and we are left to imagine the anxious deliberations, the laborious search for precedents, the minute comparison of the historical and poetical allusions involved in each title, before the learned body were able to arrive at a decision. The composition of prayers to be used by his Majesty or his deputies on sundry occasions, and the writing of inscriptions for the temples of various divinities, in acknowledgment of services, are among the lighter tasks of the Hanlin. They are not, however, like that above referred to, of rare occurrence. Ambitious of anything that can confer distinction on their respective localities, the people of numerous districts petition the throne to honor the temple where they worship by the gift of an Imperial inscription. They ascertain that some time within the past twenty years the divinity there worshipped has interfered to prevent a swollen river from bursting its banks; to avert a plague of locusts, or arrest a protracted drought; or, by a nocturnal display of spectral armies, to drive away a horde of rebels. They report the facts in the case to their magistrates, who verify them, and forward the application to the Emperor, who in turn directs the members of the Hanlin to write the desired inscription. Cases of this kind abound in the Peking

gazette; one of those best known to foreigners being that of Sze-tai-wang at Tientsin, whose merit in checking, under the avatar of a serpent, the disastrous floods of 1871, obtained from the Emperor the honor of a commemorative tablet written by the doctors of the Hanlin.

If to these we add the scrolls and tablets written by Imperial decree for schools and charitable institutions throughout the Empire, we must confess that the Hanlin Yuan might earn for itself the title of Academy of Inscriptions in a sense somewhat different from that in which the term is employed in the Western world. Indeed, so disproportionate is the space allotted in the constitution to these petty details that the reader, judging from that document alone, would be liable to infer that the Academicians were seldom burdened with any more serious employment. But let him go into one of the great libraries connected with the court (unhappily not yet accessible to the foreign student), or even to the great book-stores of the Chinese city, and he will learn at a glance that the Hanlin is not a mere piece of Oriental pageantry. Let him ask for the Book of Odes; the salesman hands him an imperial edition in twenty volumes, with notes and illustrations by the doctors of the Hanlin. If he inquire for the Book of Rites, or any of the thirteen canonical books, the work is shown him in the same elegant type, equally voluminous in extent, and executed by the hands of the same inexhaustible editors. Then there are histories without number; next to the classics in dignity, and far exceeding them in extent.

If the poems of India, such as the Mahabharat, in length outmeasuring half a score of Iliads, suggest the idea of the infinite, the histories of China are adapted to produce a similar impression. There are in the capital, at this present time, no fewer than four bureaus or colleges of history, constantly occupied, not as might be supposed with the history of other countries and distant ages, but with the events of the present reign, and those of its immediate predecessor. These are all conducted by members of the Hanlin; and the scale on which they execute their tasks may be inferred from the fact, that the bureau of military history recently reported the completion of a portion of its labors in seven hundred and twenty books,

or about three hundred and sixty volumes. These only cover the Taiping and Nienfei rebellions, leaving the Mohammedan and foreign wars of the last seventy years to be spun out probably to an equal extent.

Here is a paragraph from the instructions of one of these bureaus, which in respect to the laborious minuteness which they exact may be taken as a sample of the whole: —

"They (the scribes) are to take note of the down-sitting and uprising of his Majesty, and to keep a record of his every word and action. They are to attend his Majesty when he holds court and gives audience; when he visits the Altar of Heaven or the Temple of Ancestors; when he holds a feast of the classics, or ploughs the sacred field; when he visits the schools, or reviews the troops; when he bestows entertainments, celebrates a military triumph, or decides the fate of criminals. They must follow the Emperor in his hunting excursions, and during his sojourn at his country palace. They will hear the Imperial voice with reverence, and record its utterances with care, appending to every entry the date and name of the writer. At the end of every month these records shall be sealed up and deposited in a desk, and at the close of the year transferred to the custody of the Inner Council."

Besides these dynastic histories, there are topographical histories of provinces, prefectures, districts, and even of towns and villages, in number and extent to which we have no parallel. In most of these the government takes a direct interest, and as far as possible they are edited by members of the Hanlin: e. g. a supplement is now being made at Taiping-fu to the history of the province of Chihli, bringing it through the troubled days of the Taiping rebellion and foreign invasion, down to the present time. It is executed under the superintendence of a Hanlin *piensieu*, whose services were not obtained without a special application to the throne by the Viceroy Sihingchang.

In addition to work of this kind, which is constant as the stream of time, the Hanlin supplies writers and editors for all the literary enterprises of the Emperor. Some of these are so vast that it is safe to say no people would undertake them but those who erected the great wall and excavated the grand canal; nor would China have had the courage to face them

had she not kept on foot as a permanent institution a standing army of learned writers.

Two of these colossal enterprises distinguish the brilliant prime of the present dynasty; while a third, of proportions still more huge, dates back to the second reign of the Mings. This last is the *Yung-lo-ta-tien*, a cyclopædic digest of the Imperial library, which at that time contained 300,000 volumes. There were employed in the task 2,169 clerks and copyists, under the direction of a commission consisting of three presidents, five vice-presidents, and twenty sub-directors. The work, when completed, contained 22,937 books, or about half that number of volumes. It was never printed as a whole, and two of the three manuscript copies, together with about a tenth part of the third, were destroyed by fire in the convulsions that attended the overthrow of the Mings.

In the reign of Kanghi (latter part of the seventeenth century) a similar compilation was executed, numbering six thousand volumes, and beautifully printed on movable copper types, with the title of *T'u-shu-chi-ch'eng.*

About a century later, under Kienlung, a still larger collection, intended to supplement the former, and preserve all that was most valuable in the extant literature, was printed on movable wooden types with the title of *Sze-k'u-ch'uen-shu.* These two collections reproduce a great part of the preceding; nevertheless, great pains have been taken to copy out and preserve the original work. A commission of members of the Hanlin was appointed for this purpose by Kienlung, and a copy of the work, it is said, now forms a part of the Hanlin library.

In this connection we may mention two other great works executed under the Mings, which have been reproduced by the present dynasty in an abridged or modified form. While the codification of the laws found in Yunglo a Chinese Justinian, it found its Tribonians among the doctors of the Academy. The Encyclopædia of Philosophy, compiled by the Hanlin under Yunglo, the second of the Mings, was abridged by the Hanlin, under Kanghi, the second of the Tsings. A still more important labor of the Hanlin, performed by order of the last-named illustrious ruler, was the dictionary which bears his name, — a labor more in keeping with its character as a literary corporation.

Thiers speaks of the French Academy as having *la mission à régler la marche de la langue.* It did this by publishing its famous dictionary; and about the same time the members of the Hanlin were performing a similar task for the language of China, by the preparation of the great dictionary of Kanghi, — a work which stands much higher as an authority than does the *Dictionnaire de l'Académie Française.* A small work, not unworthy of mention in connection with these grave labors, is the Sacred Edict, which goes under the name of Kanghi. It is not, however, the composition of either Kanghi or Yung-cheng, but purely a production of Hanlin pencils. In the Memoirs of the Academy we find a decree assigning the task and prescribing the mode of performance: —

"'Taking,' says the Emperor, 'the sixteen edicts (or maxims of seven words each) of our sacred ancestor surnamed the Benevolent, for a basis, we desire to expand and illustrate their meaning, for the instruction of our soldiers and people. Let the members of the Hanlin compose an essay, of between five and six hundred characters, on each text, in a plain and lucid style; shunning alike the errors of excessive polish and rusticity. Let the same text be given to eight or nine persons, each of whom will prepare a discourse, and hand it in in a sealed envelope.'"

From this it appears that the sixteen elegant discourses, which compose the body of that work, are selections from over a hundred, — the picked performances of picked men.

In the early part of the Manchu dynasty, the Hanlin were much engaged in superintending the translation of Chinese works into Manchu; a language now so little understood by the Tartars of Peking that those voluminous versions have almost ceased to be of any practical value. Under the present reign the learned doctors have been working somewhat in a different direction, showing that the Chinese are not so incapable of innovation as is usually supposed. A minority reign naturally suggested the want of a royal road to the acquisition of knowledge; our Hanlin doctors were accordingly directed to supply his Majesty with copies of History *made easy*, and the Classics *made easy.* The mode of making easy was a careful rendering into the Mandarin or court dialect, — a style which these admirable doctors disdain as

much as the mediæval scholars of Europe did the vernacular of their day. May we not hope that these works, after educating the Emperor, will, like those prepared by the Jesuits *in usum Delphini*, be brought to the light for the instruction of his people?

As it is intended here to indicate the variety rather than the extent of the literary labors of the Hanlin, these remarks would be incomplete if they did not refer to their poetry. They are all poets; each a laureate, devoting his talents to the glorification of his Imperial patron. Swift said of an English laureate, —

> "Young must torture his invention,
> To flatter knaves or lose a pension."

In China the office is not held on such a condition; sage emperors have been known to strike out with their own pen the finest compliments offered them by their official bards. Kienlung, as we have seen, felt it necessary to warn the Hanlin against the prevailing vice of poets and pensioners. In China poetry is put to a better purpose; Imperial decrees and official proclamations being often expressed in verse, for the same reason that induced Solon to borrow the aid of verse in the promulgation of his laws. Didactic compositions in verse are without number, and for the most part as dry as Homer's catalogue of the fleet. A popular cyclopædia, for instance, in over a score of volumes, treats of all imaginable subjects in a kind of irregular verse called *fu*.

Employed as scribes and editors, it would be too much to expect that the Hanlin should distinguish themselves for originality. It is a rare thing for an original work to spring from the brain of an Academician. In imitation of Confucius, they might inscribe over their door, "We edit, but we do not compose."

"On entering this hall," said M. Thiers, taking his seat in the French Academy forty years ago, "I feel the proudest recollections of our national history awakening within me. Here it is that Corneille, Bossuet, Voltaire, and Montesquieu, one after another, came and took their seats; and here more recently have sat Laplace and Cuvier. . . . . Three great men, Laplace, Lagrange, and Cuvier, opened the century; a numerous band of young and ardent intellects

have followed in their wake. Some study the primeval history of our planet, thereby to illustrate the history of its inhabitants; others, impelled by the love of humanity, strive to subjugate the elements in order to ameliorate the condition of man; still others study all ages and traverse all countries, in hopes of adding something to the treasures of intellectual and moral philosophy. . . . . Standing in the midst of you, the faithful and constant friends of science, permit me to exclaim, happy are those who take part in the noble labors of this age!"

In this passage we have a true portraiture of the spirit that animates the *peerage* of the Western intellect; they lead the age in every path of improvement, and include in their number those whom a viceroy of Egypt felicitously described, not as *peers*, but as *les têtes couronnées de la science*. How different from the drowsy routine which prevails in the chief tribunal of Chinese learning! Of all this the Chinese Academician has no conception; he is an anachronism, his country is an anachronism, as far in the rear of the world's great march as were the people of a secluded valley, mentioned in Chinese literature, who, finding there an asylum from trouble and danger, declined intercourse with the rest of mankind, and after the lapse of many centuries imagined that the dynasty of Han was still upon the throne.

It is doing our Hanlin a species of injustice to compare him with the Academicians or even with the commonalty of the West, in a scientific point of view; for science is just the thing which he does not profess, and that general information which is regarded as indispensable by the average intelligence of Christendom is to the Hanlin a foreign currency, which has no recognized value in the market of his country; nevertheless, we shall proceed to interrogate him as to his information on a few points, merely for the sake of bringing to view the actual condition of the educated mind of China.

In history he can recite with familiar ease the dynastic records of his own country for thousands of years; but he never heard of Alexander or Cæsar, or the first Napoleon. Of the third Napoleon he may have learned something from a faint echo of the catastrophe at Sedan, certainly not from the missions of Burlingame or Ch'unghau, — events that are yet too

recent to have reached the ears of these students of antiquity, who, whatever their faults, are not chargeable with being *rerum novarum avidi.*

In geography he is not at home even among the provinces of China proper, and becomes quite bewildered when he goes to the north of the Great Wall. Of Columbus and the New World he is profoundly ignorant, not knowing in what part of the globe lies the America of which he may have heard as one among the Treaty Powers. With the names of England and France he is better acquainted, as they have left their record in opened ports and ruined palaces. Russia he thinks of as a semi-barbarous state, somewhere among the Mongolian tribes, which formerly brought tribute, and was vanquished in conflict, — her people being led in triumph by the prowess of Kanghi.

In astronomy he maintains the dignity of our native globe as the centre of the universe, as his own country is the middle of the habitable earth; a conviction in which he is confirmed by the authority of those learned Jesuits who persisted in teaching the Ptolemaic system three centuries after the time of Copernicus. Of longitude and latitude he has no conception; and refuses even to admit the globular form of the earth, because an ancient tradition asserts that "heaven is round and the earth square." To him the stars are shining characters on the book of fate, and eclipses portents of approaching calamity.

In zoölogy he believes that tigers plunging into the sea are transformed into sharks, and that sparrows by undergoing the same baptism are converted into oysters; for the latter metamorphosis is gravely asserted in canonical books, and the former is a popular notion which he cares not to question. Arithmetic he scorns as belonging to shopkeepers; and mechanics he disdains on account of its relation to machinery and implied connection with handicraft.

Of general physics he nevertheless holds an ill-defined theory, which has for its basis the dual forces that generated the universe, and the five elements which profess to comprehend all forms of matter, but omit the atmosphere. Of the nature of these elements his text-book gives the following

luminous exposition, namely, that "the nature of water is to run downward; the nature of fire is to flame upward; the nature of wood is to be either crooked or straight; the nature of metals is to be pliable, and subject to change; the nature of earth is to serve the purposes of agriculture."

So weighty is the information contained in these sentences, that he accepts them as a special revelation, the bed-rock of human knowledge, beneath which it would be useless, if not profane, to attempt to penetrate. It never occurs to our philosopher to inquire *why* water flows downward, and *why* fire ascends; to his mind both are ultimate facts. On this foundation human sagacity has erected the pantheon of universal science. This it has done by connecting the five elements with the five planets, the five senses, the five musical tones, the five colors, and the five great mountain ranges of the earth; the quintal classification originating in the remarkable observation that man has five fingers on his hand, and setting forth the harmony of nature as a connected whole with a beautiful simplicity that one seeks for in vain in the Kosmos of Humboldt.

This system, which our Hanlin accepts, though he does not claim the merit of having originated it, is not a mere fanciful speculation; it is a practical doctrine skilfully adapted to the uses of human life. In medicine it enables him to adapt his remedies to the nature of the disease. When he has contracted a fever on shipboard or in a dwelling that has a wooden floor, he perceives at once the origin of his malady, or his physician informs him that "wood produces fire"; — earth is wanted to restore the balance, i. e. life on shore, or out-door exercise.

In the conduct of affairs it enables him to get the lucky stars in his favor, and, through the learned labors of the Board of Astronomy, it places in his hands a guide-book which informs him when he should commence or terminate an enterprise, when he may safely venture abroad, and when it would be prudent to remain at home. It enables him to calculate futurity and obtain the advantage of a kind of *scientia media*, or conditional foreknowledge; to know how to arrange a marriage so as to secure felicity according to the horoscope of the par-

ties; and ascertain where to locate the dwellings of the living, or the resting-places of the dead, in order to insure to their families the largest amount of prosperity.

These occult sciences the Hanlin believes implicitly, but he does not profess to understand them, — contented in such matters to be guided by the opinion of professional experts. A Sadducee in creed, and an epicure in practice, the comforts of the present life constitute his highest idea of happiness; yet he never thinks of devising any new expedient for promoting the physical well-being of his people. Like some of the philosophers of our Western antiquity, he would feel degraded by occupation with anything lower than politics and ethics, or less refined than poetry and rhetoric. "Seneca," says Lord Macaulay, "labors to clear Democritus from the disgraceful imputation of having made the first arch; and Anacharsis from the charge of having contrived the potter's wheel." No such apologist is required for our doctors of the Hanlin, inasmuch as no such impropriety was ever laid to their charge.

The noble motto of the French Institute, *invenit et perfecit*, is utterly alien from the spirit and aims of the Academicians of China. With them the golden age is in the remote past; everything for the good of human society has been anticipated by the wisdom of the ancients.

"Omnia jam ferme mortalibus esse parata."

Nothing remains for them to do but to walk in the footsteps of their remote ancestors.

Having thus subjected our Academician to an examination in the elements of a modern education, we must again caution our readers against taking its result as a gauge of mental power or actual culture. In knowledge, according to our standard, he is a child; in intellectual force, a giant. A veteran athlete, the victor of a hundred conflicts, his memory is prodigious, his apprehension quick, and his taste in literary matters exquisite.

"It is a dangerous error," says an erudite editor of Sir W. Hamilton, "to regard the cultivation of our faculties as subordinate to the acquisition of knowledge, instead of knowledge being subordinate to the cultivation of our faculties. In consequence of this error, those

sciences which afford a greater number of more certain facts have been deemed superior in utility to those which bestow a higher cultivation on the higher faculties of the mind."

The peculiar discipline under which the Hanlin is educated, with its advantages and defects, we shall indicate in another place. Before quitting this branch of the subject, we may remark, however, that its result as witnessed in the Hanlin is not, as generally supposed, a feeble, superficial polish which unfits its recipient for the duties of practical life; on the contrary, membership in the Hanlin is avowedly a preparation for the discharge of political functions, a stepping-stone to the highest offices in the state. The Academician is not restricted to functions that partake of a literary character; he may be a viceroy as well as a provincial examiner; a diplomatic minister as well as a rhymester of the court.

In glancing over the long catalogue of the academic Legion of Honor, one is struck by the large proportion of names that have become eminent in the history of their country.

We have had occasion more than once in the preceding pages to refer to the memoirs of the Academy. These records, unfortunately, extend back no further than the accession of the present dynasty, in 1644; and they terminate with 1801, comprising only a little more than one and a half of the twelve centuries of the society's existence. Published under Imperial auspices in thirty-two thin volumes, they are so divided that the books or sections amount to the cabalistic number sixty-four, the square of the number of the original diagrams which form the basis of the Yih-king, the national Book of Divination.

The first thing that strikes us on opening its pages is the spirit of imperialism with which it appears to be saturated. The transactions of his Majesty constitute the chief subject; the performances of the members are mentioned only incidentally, and the whole association is exhibited in the character of an elaborate system of belts and satellites purposely adjusted to reflect the splendor of a central luminary. Cast your eye over the table of contents, and see with what relief this idea stands out as a controlling principle in the arrangement of the work.

The first two books are devoted to what are called *Sheng Yu*, Holy Edicts, i. e. expressions of the Imperial mind in regard to the affairs of the society in any manner, however informal. Six books are given to *T'ien-chang*, or Celestial Rhetoric, i. e. productions of the vermilion pencil in prose and verse; eight books record the imposing ceremonies connected with Imperial visits; six books commemorate the marks of Imperial favor bestowed on members of the Academy; sixteen of the remaining forty-two are occupied with a catalogue of those members who have been honored with appointments to serve in the Imperial presence, or with special commissions of other kinds. In the residuary twenty-six we should expect to find specimens of the proper work of the Academy, and so we do; for no less than three books are taken up with ceremonial tactics; forms to be observed in attendance on the Emperor on sundry occasions, the etiquette of official intercourse, etc.; these things occupying the first place among the serious business of the society. Fourteen are filled with specimens of prose and verse from the pens of leading members; and one is assigned to a high-flown description of the magnificence of the academical buildings; the rest contain a meagre catalogue of official employments and literary labors.

What a picture does this present, — a picture drawn by themselves, of the highest literary corporation in the Empire! Yet, notwithstanding the enormous toadyism with which they are inflated, we do not hesitate to say that the twenty-two books especially devoted to the emperors are by far the most readable and instructive portion of the memoirs. They throw light on the personal character of these monarchs, exhibit the nature of their intercourse with their subjects, and illustrate the estimation in which polite letters are held in the view of the government.

The first chapter opens with the following: —

"Shunche, the founder of the Imperial family, in the tenth year of his reign, visited the Inner Hall of the Academy, for the purpose of inspecting the translation of the Five Classics; on this occasion, his Majesty said, 'The virtues of Heaven and the true method of government are all recorded in the Book of History; its principles will remain unalterable for ten thousand generations.'"

The translation referred to was into the Manchu language; it was made for the purpose of enabling the conquering race the more speedily to acquire the civilization of the conquered.

The young sovereign, then only sixteen years of age, shows by this brief speech how thoroughly he had become imbued with the spirit of the Confucian books. The record proceeds: —

"In the 5th moon of the same year, his Majesty again visiting the Inner Hall, inquired of the directors why the writers had ceased from their work so early. The Chancellor Fan replied, 'This is the summer solstice, — we suspend our labors a little earlier on that account.'

"The Emperor, looking round on his attendant officers, said, 'To take advantage of some peculiarity of the season to make a holiday is natural; but if you wish to enjoy repose you must first learn to labor; you must aid in settling the Empire on a secure basis, and then your days of rest will not be disturbed. If you aim only at pleasure without restraining your desires, placing self and family first, and the Empire second, your pleasure will be of short duration. Behold, for example, *our* course of conduct, how diligent we are in business, how anxiously we strive to attain perfection. It is for this reason *we* take pleasure in hearing the discourses of these learned men; men of the present day are good at talking, but they are not so good at acting. Why so? Because they have no settled principles; they act one way to-day and another to-morrow. But who among mortals is free from faults? If one correct his faults when he knows them, he is a good man; if, on the contrary, he conceal his faults and present the deceptive aspect of virtue, his errors multiply and his guilt becomes heavier. If *we*, and you, our servants, are diligent in managing the affairs of state, so that the benefit shall reach the people, Heaven will certainly vouchsafe its protection; while on those who do evil without inward examination or outward reform, Heaven will send down calamity. . . . . If your actions were virtuous, would Heaven afflict you? Ch'engt'ang was a virtuous ruler, yet he did not spare pains in correcting his faults; on the contrary, Chengteh, of the Ming dynasty, had his heart set on enjoyment, and clung to his own vices, while he was perpetually finding fault with the shortcomings of his ministers. When the Prince himself refuses to reform, the reformation of his people will be impossible, however virtuous his officers may be.'"

This little sermon, excepting the preceding brief encomium on the sacred books, is all that the Academy has thought fit to preserve of the discourses of Shunche. His son, the illustrious Kanghi, fills a large space in the memoirs. Here are a few extracts, by way of specimens: —

"The Emperor Kanghi, in the ninth year of his reign (the fifteenth of his age), said to the officers of the Board of Rites, 'If one would learn the art of government, one must explore the classic learning of the ancients. Whenever *we* can find a day of leisure from affairs of state, we spend it in the study of the classics. Reflecting that what is called the Classic Feast, and daily Exposition, are important usages, which ought to be revived, you are required to examine and report on the necessary regulations.'"

In the twelfth year, his Majesty said to the Academician Futali: —

"To cherish an inquiring mind is the secret of progress in learning. If a lesson be regarded as an empty form, and, when finished, be dismissed from the thoughts, what benefit can there be to heart or life? As for *us*, when our servants (the Hanlin) are through with their discourses, *we* always reflect deeply on the subject-matter, and talk over with others any new ideas we may have obtained; *our* single aim being a luminous perception of the truth. The intervals of business, whether the weather be hot or cold, *we* occupy in reading and writing."

So saying, his Majesty exhibited a specimen of his penmanship, remarking that calligraphy was not the study of a prince, but that *he* found amusement in it.

In the ninth moon of the same year, his Majesty said to Hiong-tsze-lü, "The precept in the Tahio, on the study of *things*, is very comprehensive; it is not to be limited to mathematical inquiries and mechanical contrivances."

Again he said, "Heaven and earth, past and present, are governed by one law. Our aim should be to give our learning the widest possible range, and to condense it into the smallest possible compass."

In the fourteenth year, his Majesty, on reading a paper of the Hanlin, and finding himself compared to the Three Kings and Two Emperors (of ancient times), condemned the expression as a piece of empty flattery, and ordered it to be changed.

In the sixteenth year, his Majesty said, "Learning must be reduced to practice in order to be beneficial. You are required to address me with more frankness, concealing nothing, in order to aid me in carrying into practice the principles to which I have attended."

In the nineteenth year, the Emperor, in bestowing on members of the Hanlin specimens of his autograph, remarked that in ancient times sovereign and subject were at liberty to criticize each other, and he desired them to exercise that liberty in regard to his handwriting, which he did not consider as a model.

In the twenty-first year, in criticizing certain specimens of ancient chirography, his Majesty pointed to one from the pen of Lukung, remarking, "In the firmness and severity of these strokes I perceive the heroic spirit with which the writer battled with misfortune."

In the twenty-second year, his Majesty ordered that the topics chosen for the lectures of the Classic Feast should not, as hitherto, be selected solely with reference to the sovereign, but that they should be adapted to instruct and stimulate the officers as well.

In the twenty-third year, his Majesty was on a journey, when, the boat mooring for the night, he continued reading until the third watch. His clerk — a member of the Hanlin — had to beg his Majesty to allow himself a little more time for repose; whereupon his Majesty gave a detailed account of his habits of study, all the particulars of which are here faithfully preserved.

In the forty-third year, his Majesty said to the High Chancellor and members of the Academy: "From early youth I have been fond of the ink-stone; every day writing a thousand characters, and copying with care the chirography of the famous scribes of antiquity. This practice I have kept up for more than thirty years, because it was the bent of my nature. In the Manchu I also acquired such facility that I never make a mistake. The indorsements on memorials from viceroys and governors, and Imperial placets are all written with my own hand, without the aid of a preliminary draft. Things of any importance, though months and years may elapse, I never for-

get, notwithstanding the indorsed documents are on file in the respective offices, and not even a memorandum left in my hands."

In the fiftieth year, his Majesty said to the High Chancellors: —

"In former generations I observe that, on occasions of the Classic Feast, the sovereign was accustomed to listen in respectful silence, without uttering a word. By that means his ignorance was not exposed, though he might not comprehend a word of the discourse. The usage was thus a mere name without the substance.

"As for me, I have now reigned fifty years, and spent all my leisure hours in diligent study; and whenever the draft of a discourse was sent in, I never failed to read it over. If by chance a word or sentence appeared doubtful, I always discussed it with my literary aids. For the Classic Feast is an important institution, and not by any means to be viewed as an insignificant ceremony."

Of Yungcheng, the son and successor of Kanghi, the memoirs have preserved but a single discourse, and of that only its opening sentence is worth quoting. His Majesty said to the members of the Hanlin: "Literature is your business, but we want such literature as will serve to regulate the age, and reflect glory on the nation. As for sonnets to the moon and the clouds, the winds and the dews, — of what use are they?"

The next Emperor, Kienlung, far surpassed his predecessors in literary taste and attainments; and his reign being long (sixty years), his communications to the Hanlin are more than proportionally voluminous. Space, however, compels us to make our extracts in the inverse ratio. Many of the preceding and some which follow have nothing to do with the Academy, save that they were speeches uttered in the hearing of the Hanlin, and by them recorded. This, however, is to the point.

In the second year, his Majesty said to the general directors: "Yesterday we examined the members of the Academy, giving them for a theme the sentence, 'It is hard to be a sovereign, and to be a subject is not easy.' Of course there is a difference in the force of the expressions 'hard,' and 'not easy,' yet not one of them perceived the distinction." Here follows an elaborate exposition from the vermilion pencil, which I must forego, at the risk of leaving my readers in perpetual darkness as to the momentous distinction. It is, how-

ever, but just to say that the Emperor intends the paper, not as a scholastic exercise, but as a political lesson.

In the fifth year, his Majesty says he has remarked that the addresses of the Hanlin contain a large amount of adulation, and a very small amount of instruction. He accordingly recommends them to modify their style. Two years later he complains that "the Hanlin often make a text from the sacred books a stalking-horse for irrelevant matters; e. g. Chow-changfah, in lecturing on the Book of Rites, took occasion to laud the magnificence of our sacrifice at the Altar of Heaven, as without a parallel for a thousand years." "Before the sacrifice," he says, —

"'Heaven gave a good omen in a fall of snow, and during its performance the sun shone down propitiously.' Now these rites were not of my institution; moreover, the soft winds and gentle sunshine on the occasion were purely accidential; for at that very time the Province of Kiangnan was suffering from disastrous floods, and my mind tormented with anxiety on that account. Let Chow-changfah be severely reprimanded, and let the other Hanlin take warning."

Among the remaining speeches of Kienlung, there are three that do him credit as a vindicator of the truth of history. In one of them he rebukes the historiographers for describing certain descendants of the Mings as usurpers, observing that they come honestly by their titles, though they were not able to maintain them. In another he criticizes the ignorance and wilful perversions of facts exhibited by Chinese historians in their account of the three preceding Tartar dynasties, namely, the Liau, Kin, and Yuen. And in the last he reproves his own writers of history for omitting the name of a meritorious individual who had fallen into disgrace.

Among the communications of the next Emperor, Kiaking (the memoirs close with the fourth year of his reign), I find nothing of sufficient interest to be worth the space it would occupy.

Thus far the Emperors; what the Hanlin say to them in conversation or formal discourse is not recorded. But we know that they are so situated as to exert a more direct influence on the mind of their master than subjects of any other class. They are the instructors of his youth, and the counsel-

lors of his maturer years; and this, the fixing of the views and moulding of the character of the autocrat of the Empire, we may fairly regard as their most exalted function.

But if they influence the Emperor, we see in the preceding paragraphs how easy it is for the Emperor to influence them. Herein is our hope for the rehabilitation of the Academy. Far from being decayed or effete, it contains as many and as active minds as at any previous period. At present they spend much of their time in making "sonnets to the moon"; but if the Emperor were so disposed, he could change all that in a moment. He could employ the Hanlin in translating out of English as well as into Manchu, — in studying science as well as letters.

Nor are indications wanting that this change in the direction of their mental activity is likely to take place. Some years ago Prince Kung proposed that the junior members of the Hanlin should be required to attend the Tungwen College, for the purpose of acquiring the languages and sciences of Europe. Wojin, a president of the Hanlin, and teacher of the Emperor, presented a counter-memorial, and the measure failed. But such is the march of events that the same measure, possibly in some modified form, is sure to be revived, and destined to be finally successful.

When that time arrives, the example of the Academy will have great weight in promoting a radical revolution in the character of the national education.

W. A. P. Martin.

Art. II. — The Platform of the New Party.

"A frequent recurrence to the fundamental principles of the Constitution . . . . is absolutely necessary to preserve the advantages of liberty and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles in the choice of their officers and representatives; and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in

the formation and execution of the laws necessary for the good administration of the Commonwealth."

This precept of the Massachusetts Declaration of Rights has been forgotten amid the tumult of civil commotion, until now, unless the country return to a study of those principles which lie at the foundation of government, the dangers against which these words are a warning are at hand.

Since the outbreak of the Revolutionary War, when the fear of foreign conquest first forced the thirteen Colonies into an imperfect union, the power of the national government has been in constant conflict with the power of the several States. From the time when the first Continental Congress met, and when it adopted the Articles of Confederation, down to the time when the States ratified the Constitution, the States-rights, or decentralizing influence so predominated as to reduce the authority of Congress to a shadow, and to bring on the train of disasters which led to the organization of the present government; from 1789 to 1860 the two forces were almost in a state of equilibrium, though the country was ever moving with a slow but steady march toward a triumph of the central power; and since the outbreak of the war the balance has been completely turned, the States-rights party has been annihilated, and vast strides have been made toward that condition of entire consolidation which to-day seems not far distant. To trace the current of events which has led to this result, to show the dangers which already beset the people, and the consequences which must follow a failure to check the forces working this silent revolution in the federal system, will be the object of this article.

The early history of the nation is too well known to require much comment; no one needs to be reminded of the local jealousies which pruned one by one every attribute of authority from the Confederate Congress; nor of the wretched condition into which the country fell under that emasculated government; of the unexecuted treaties, of the debased currency, of the disputes between the States, and of the Shays rebellion. Attention is at once fixed upon the fact that only when society seemed on the verge of dissolution the people as a last resort were driven to contemplate some sacrifice of local inde-

pendence, and to call the convention which framed the Constitution. Even then resistance was not overcome; the struggle over adoption was violent in the extreme, and in the Virginia convention, on which all was supposed to depend, the vote was only carried by a majority of ten.

Under these circumstances different interpretations of the Constitution were inevitable: one section of thinkers wished to give it a liberal construction, and to augment the central power; the other was inclined to depart as little as might be from the principles of the old confederacy. General Washington's first Cabinet — perhaps the most remarkable ever formed — was an effort to unite all divisions of opinion. Mr. Jefferson was Secretary of State, Mr. Hamilton Secretary of the Treasury, and Mr. Randolph Attorney-General.

Harmony was impossible among such antagonistic elements: even the authority of the President failed to preserve peace, and the furious dissensions which broke out between Hamilton and Jefferson ended in the retirement of both ministers at the close of the first term.

So opened the one great controversy in American politics,— the relation which the general government should bear to the governments of the several States; in other words, the question of centralization. Under constantly shifting popular issues this stern problem is always found embedded, and sooner or later the struggle has invariably narrowed itself to this point. It was so in 1801, in 1812, in 1828 over internal improvements, in 1832 over nullification, in 1860 over secession; and it is so now. At the close of the last and the beginning of this century, foreign relations were the exciting cause. War raged over Europe, and General Washington adopted his policy of neutrality. So long as he remained in office, the respect inspired by his name held parties within some bounds; but on the inauguration of his successor the floodgates were opened. Mr. Adams wished to follow the course already marked out, but he found it no easy task. Mr. Jefferson and the Republicans were in furious opposition; they were in sympathy with the French Revolution, while the North was hostile to it and looked on its progress with alarm. In the midst of this excitement the X Y Z papers were sent to Congress, and

their publication was followed by a burst of indignation. War seemed inevitable. In this crisis the Alien and Sedition Acts were passed, and in an instant the South was in a blaze.

The legislatures of Virginia and Kentucky led the attack on the administration by passing the famous resolutions of '98. The third Virginia resolve is as follows: —

"That this Assembly doth explicitly and peremptorily declare that it views the powers of the federal government, as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States, who are parties thereto, have the right and are in duty bound to interpose, for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them."

The Kentucky resolutions were even stronger.

Thus, within ten years after the government went into operation, was that great dispute begun which only terminated sixty years later in the war of the rebellion. Was this government a league, a compact between the States; or was it national, based on the consent of the people, and deriving its power directly from them?

If the Virginia doctrine was true in principle, the deductions drawn from it were logically just. If the States had only entered into a compact with one another, and still remained to all purposes sovereign republics, then they were equals with each other and with the general government. As such, each one could be the only judge of what constituted an infringement of its sovereignty. Therefore, to allow Congress to pass laws, and to concede to the Supreme Court the final right of judging of their constitutionality, would have been monstrous, for it would have made the central power the judge of its own acts, and would have placed it at once in the position of a superior ruling inferiors. Admitting, however, that a State, as well as the Supreme Court, had a right to pass upon statutes, it necessarily followed that in case of an adverse decision the dissenting government was in duty bound to interfere and pre-

serve its citizens from oppression under the execution of an unjust law.

Clearly, the establishment of such a doctrine would have been a return to the confederation.

In Cohens *v.* Virginia, Chief Justice Marshall said: "America has chosen to be, in many respects, and to many purposes, a nation; and for all these purposes her government is complete; to all these objects it is competent. The people have declared, that in the exercise of all powers given for these objects, it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory. . . . . These States are constituent parts of the United States. They are members of one great empire, — for some purposes sovereign, for some purposes subordinate. In a government so constituted, is it unreasonable that the judicial power should be competent to give efficacy to the constitutional laws of the legislature? . . . . We think it is not. . . . . 'Thirteen independent courts,' says a very celebrated statesman (and we have now more than twenty such courts), 'of final jurisdiction over the same causes, arising upon the same laws, is a hydra in government, from which nothing but contradiction and confusion can proceed.'"

This case was not decided until 1821; but the principle there laid down is that which moderate Federalists have always maintained. Had that party in 1801 been true to itself, had it been able to unite its whole strength on an effort to establish a great fundamental truth, it would probably have carried the election, and the history of the country might have been changed; but it was capable of no such effort; it was torn by internal dissensions, and Mr. Adams was defeated.

Among American statesmen Mr. Jefferson stands foremost as the champion of decentralization. He has always, in spite of his denials, been credited with the authorship of the Kentucky resolutions. He comprehended more fully, perhaps, than any man of that period the tremendous importance of the question. For years he had been developing his principles. He had finally, at his own time and in his own words, made a bold appeal to the people, and they had sustained him. Clearly, he was pledged to the loosening of the federal bond, and to the

undoing of the federal fabric of government. And yet he never even attempted it. On the contrary, his administration seemed every whit as capable of straining authority as its predecessors, and he did in fact so use his power as to stir up something very like rebellion. He is the best illustration of the general law. From the moment when he first faced the responsibilities of office, he seems to have abandoned his dream, and to have resigned himself to the inevitable. He felt there was but one path open. And so has it ever been; no President, despite his principles in opposition, has been able to resist the pressure which the current of events has always brought upon him. Throughout Mr. Jefferson's term of service a foreign war was imminent, and, beyond an abortive attempt by Mr. Giles to undermine the judiciary, no retrograde step was taken.

The most memorable measure of this administration was the embargo. That measure precipitated Massachusetts, the old Federal stronghold, into a movement even fiercer than the one which the President himself had headed at the South, in his protest against the sedition law. But the story of the Hartford Convention, and of the opinion given by the judges on the power of calling out the militia (5 Mass., 545), is too familiar to be retold. The whole proceeding would have graced the bench and the people of South Carolina. Peace came in 1815, and with it the end of these troubles; and thus the practical result of fourteen years of republican rule had been to confirm the work which the Federalists had begun.

With the close of war the era of good feeling opened, which lasted without interruption, save for personal quarrels among public men, until 1828. The admission of Missouri at one moment seemed likely to precipitate the slavery question, but the compromise was peacefully arranged, and the struggle for a time postponed. Mr. Madison and Mr. Monroe, though perhaps in theory disagreeing with the Chief Justice, were practically in perfect accord with him, and on the whole this may probably be looked back upon as the golden age of constitutional government in America. Not that the old Virginia doctrines were forgotten. On the contrary, they gave signs of life in the Missouri discussion, while the case of Martin *v.* Hunter's Lessee, argued in 1816, was a flat denial of the appellate jurisdiction

of the Supreme Court by the Virginia Court of Appeals. Mr. Justice Roane, too, of that bench, attacked the decisions of Marshall with fury in the newspapers, and Mr. Jefferson again and again commended Roane in his letters, and spoke in strong terms of the usurpations of the judiciary.

Nevertheless, all went smoothly until the controversy on the right of government to lay duties for protection was opened by the adoption of the tariff of 1828. This led to the nullification movement, made so famous by the genius of Webster and Calhoun. Mr. Webster, in his reply to Hayne, thus sums up the position taken by Calhoun and his followers: —

"I understand the honorable gentleman from South Carolina to maintain, that it is a right of the State Legislatures to interfere whenever, in their judgment, this government transcends its constitutional limits, and to arrest the progress of its laws.

"I understand him to maintain this right as a right existing UNDER the Constitution, not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

"I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the general government, of checking it, and of compelling it to conform to their opinion of the extent of its powers.

"I understand him to maintain, that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the general government, or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the general government transcends its power.

"I understand him to insist, that, if the exigency of the case, in the opinion of any State government, require it, such State government may, by its own sovereign authority, annul an act of the general government which it deems plainly and palpably unconstitutional."

Little can be said here of the debates which were held on this question, though they are among the most remarkable of this or any other nation. But to Calhoun in particular there is now scant justice paid. It was easy for Webster to trample on the weakness of Hayne; but it is impossible to read the works of Calhoun and not to feel that only too many of his forebodings have come true. As a reasoner, he was not in-

ferior to his adversary; and the compass of his mind, the force of his logic, and the power of his argument stamp him as one of the most extraordinary men who ever spoke in the Senate of the United States. No extract from his works can do him justice; they must be studied as a whole. He boldly followed his conclusions to their end, and he and his State only yielded to overwhelming force. General Jackson was President. He, like Jefferson, had been avowedly elected on the constitutional issue of centralization, as presented by the question of internal improvements. He too, like Jefferson, had broken down an administration which was thought to favor that dangerous policy; and yet he was the man who, of all others, dealt the heaviest and most decisive blow at the party which carried what should have been his own principles to their legitimate conclusion. His prompt action strangled the incipient rebellion in South Carolina. But already it was clear that nothing was needed to bring about a violent collision save a moving cause of sufficient power to stir the passions of these antagonistic forces. Such a cause was found in slavery. This is not the place for entering into the history of that terrible struggle. All its issues save one — the great and final constitutional issue of the right to secede — lie beyond the present discussion. That right was asserted, and was debated on the field of battle. The conquest of the South by national armies put this long controversy of sixty years at rest forever. The Virginia doctrines are dead. The government has proved by force of arms that it has not the right alone, but also the power, to judge its own acts and to enforce its own decrees. That right will not again be lightly questioned.

But although it would be out of place to dwell upon the antislavery movement, there is much in the years between 1833 and 1860 which can by no means be omitted; for it was during this period that the seeds were sown from which has sprung the harvest the country is reaping now.

General Jackson was the last of the strong Presidents. After the close of his administration the question of slavery began slowly to loom above the horizon. More urgently, day by day, one problem pressed on Southern leaders for solution. The Democratic party, which represented their interests, had to be

kept in power, and yet it represented a minority. Without Northern support, the South could not maintain its ascendency, and it would not sacrifice its principles to obtain this support. Thus nothing remained to them but a policy of corruption.

John Adams, in commenting on the Constitution, wrote: "Corruption in almost all free governments has begun and been first introduced in the legislature. When any portion of executive power has been lodged in popular or aristocratical assemblies, it has seldom, if ever, failed to introduce intrigue. The executive powers lodged in the Senate are the most dangerous to the Constitution and to liberty of all the powers in it." And so the result has proved.

The Southern leaders deliberately adopted the policy of securing Northern votes by an appeal to local prejudice. They hit on the expedient of nominating for President some weak man from a free State, who, when elected, became a tool in the hands of his Cabinet or, still worse, in the hands of Congressmen, who dictated a policy to the executive.

Party organization now became more and more necessary. It had to be relied on in default of principle, and to strengthen it, rotation in office and the caucus were gradually introduced. The value of rotation is evident. By offering places in the civil service as a prize for efficient party workers, a body of men were trained by degrees in all the methods by which local elections could be controlled. Of all these methods the most efficient is the caucus. This institution was not unknown at a much earlier period, for Mr. Madison was nominated by a caucus of the members of Congress in 1809; but the popular caucus, as it now exists, was introduced by the Democrats. Soon it became throughout the North the only method of presenting candidates to the people. Of course, in theory, it is a meeting of the members of a party in the district where the election is to be held, to select some man on whom they can unite; and in order to secure united action, the minority is considered pledged to abide by the choice of the majority. But the practical working of the caucus by no means corresponds to the theory. Necessarily it is an assembly made up of persons who seldom meet, who are mostly unknown to

one another, and who are, as a rule, profoundly ignorant of parliamentary procedure. Under such circumstances it is easy for a comparatively small number of trained men, who have laid a plan beforehand, to effect their object even when the meeting is full. But the meeting seldom is full. The ordinary citizen cannot be induced to leave his home and his family, and pass long evenings in town-halls or ward-rooms, unless on very exceptional occasions; and when the attendance is scanty, managers have their own way without a show of opposition.

Office-holders, it is true, did not immediately begin to manipulate caucuses. The perfection to which the system is now brought has been a work of time; but the foundation was laid when the doctrine of "spoils" was proclaimed. Yet politicians were not slow to strike the scent. Party nominations can be controlled by controlling primary meetings. These meetings can be manipulated with much certainty and ease if only a few clever men can be found who are willing to devote their lives to the calling; and places under government offered much too tempting a pension-roll for such managers, to be long overlooked. More thorough machinery for breeding corruption can scarcely be imagined.

Under party organization thus consolidated, a nomination means election, if the party is in the majority. Ordinarily no second candidate can compete with the regular nominee. Everything conspires to render a concentration of independent voters impossible. The strange fear of breaking from old ties, the printed ballot, the want of machinery for calling a caucus, without which long custom has made it almost impossible to move, all unite to exclude competitors, and to place voters in the dilemma of accepting "the ticket" or throwing away their votes.

Granting, then, the caucus as it exists, together with the singular American loyalty to party, as materials on which to work, all that politicians needed to give them nearly absolute power was to wrest the prerogative of appointment from the President. How federal patronage has, in fact, changed hands is a familiar chapter in history. The original machinery provided by the Constitution for electing the President has been

supplanted by the caucus and convention system; and at this day it hardly needs to be proved that the intrigues of conventions usually render the nomination of any man with a "record" impossible, or, in other words, throw out every man of large experience and tried ability. The weakness of Presidents chosen with a view to their pliability in the grasp of the power behind the throne, the exigency of party needs, and the confirming functions of the Senate, all have combined to change into an established right that which at first was accorded as an indulgence, and to support the legislature in its usurpation.

Clearly, this tended directly toward consolidation. An engine was nearly perfected which would give the central government a great — perhaps even a predominating — influence in local politics. This was the danger feared by the opponents of the Constitution, though it arose in a different form from that which they apprehended; and yet this engine was invented and first used by the very party which most dreaded its effects, — by the old Democratic States-rights party, the party of decentralization.

Thus at the outbreak of the war, rotation in office and the caucus were established facts. The Republican organization was tainted with corruption from its very birth. The descendants of the old centralizing Federalists came into power armed with the terrible weapon of their opponents. Henceforward two evils were united. The centralization of the Federalists was grafted upon the corruption of the Democrats.

During Mr. Lincoln's administration one ill at least was remedied. No one could complain of executive weakness. Congress was restrained within bounds, and the balance of the government was restored. Could the work of reconstruction after the war have been left to those sagacious statesmen who were then in office, the country might never have fallen into its present disastrous condition; but the murder of the President raised Mr. Johnson to power, whose influence was an unmixed evil. From the very outset he involved himself in personal collisions, and adopted a tone and manner which drove the people into furious opposition. A more unhappy moment for entering on the delicate legislation which was to fix the

relations between Southern whites and freedmen, could not have been chosen. The result was a sweeping enfranchisement of the blacks, and a wholesale creation of the most ignorant mass of voters to be found in the civilized world. Congress, too, was on the watch, and with that selfish greed so characteristic of legislative assemblies, it seized on the popular excitement as a pretext for pushing into law the series of measures which finally left the executive helpless and at its mercy.

Down to this time, the great body of simple common-sense voters at the North had steadily supported the national government in its struggle to assert its powers. Hitherto it had required their every effort to prevent discontented States from carrying the Virginia doctrines into practice, or even from throwing off their allegiance altogether. They wanted the true federal government as expounded by Marshall: a central power limited strictly as to its purposes, but supreme within its sphere, leaving the States free in all other respects to regulate their own affairs. Federal dictation or federal interference had always been hateful, and now the idea began to dawn among them that the States were in danger of being overwhelmed. Nor was this fear without foundation. The influence of the national government had been vastly increased during the war. A great revenue had become necessary, and the number of civil offices had been proportionately augmented. This enormous patronage had fallen into the clutches of members of Congress, and it promised to be peculiarly effective in manipulating the colored vote of the South. Already adventurers used it on a large scale throughout the country, and their operations even then had begun to shape themselves into systematic assaults on the independence of States. A senator with patronage in his hands could pack the national offices in his State with his adherents; this done, he could hope to control the caucuses which sent delegates to the convention which nominated the governor. He might take the nomination himself, or he might give it to a trusted friend; but in either case the result was the same. Success at the election placed the State offices at his disposal; and, what was of much more consequence, it gave him the management of elections, — the

decision in contested returns, the making up of returns and the counting of votes, the construction of voting-lists, besides the regulation of every detail at the polls.

In 1868 the people began dimly to see these things. The desperate condition of the South alarmed them; they distrusted politicians of all sorts; and they turned to the one man in whom they placed perfect confidence, — to General Grant.

Never since the inauguration of Washington has a President had a more splendid opportunity; the whole nation was with him; it would have supported him in any attack he might have made on the usurpation of the Senate and the corruption among politicians, and he must have won. But General Grant failed to comprehend the emergency. He made a stand for a time, in his own peculiar fashion, against members of Congress whom he disliked — he hardly knew why; but he was no match for them upon their own ground; he soon fell under their influence, and has since proved himself, among the many feeble men who have filled the office of President, the most passive instrument in furthering their schemes.

Here is the turning-point in the history. All the evils which had hitherto been gathering and slowly drawing nearer, now started into terrible life. Before the war, however much office-holders might have secretly used their influence it was under a decent disguise; they seldom openly interfered with caucuses or elections. Under Johnson, the executive and Congress had been too hostile to act in unison for a common end. But henceforward the two interests were united, — a popular President was in sympathy with a great majority in Congress, and both powers worked together toward consolidation. Federal interference was recognized as an avowed system. In North and South impartially, the dominant party used the government as its chief support. Custom, each day deeper rooted, developed an unwritten law stronger than any statute or bill of rights. And the law which has been declared is, that the will of the majority shall be supreme, the Constitution to the contrary notwithstanding.

A constitutional federal government means a series of checks imposed upon the will of the majority for the protection of the

minority. A consolidated government, in America, means that the will of the majority is absolute. The first proposition will hardly be disputed. The truth of the second is capable of demonstration.

When, under the policy of the present administration, a State is, to use a cant term, "captured," it ceases to be an independent organization, and becomes an appendage to the general government. This must be so, because its elections are controlled by national office-holders, and its governor is practically appointed at Washington. It is, in all respects save one, simply a province. Its courts alone remain, and the fate of the courts must now be considered.

In the United States the courts are a semi-political institution. They are endowed with extraordinary power, and are made the guardians of popular liberty by their prerogative of deciding upon the constitutionality of legislative acts. So long, therefore, as they could be maintained in purity, the triumph of centralization, based as it is upon corrupt and unlawful principles, could never be complete. Hence it might be inferred that, at an early period, they would become a principal object of attack. And this inference is correct. That the judiciary can never be a real safeguard is evident; because, if elective, it is subject to the same influences which control all elections; if appointed, the power to appoint lies with the men who have the most direct interest in the character of the bench. Thus, according to circumstances, the judiciary will vary with the creative power; when that is corrupt, it will also be corrupt; when pure, it will be pure. Moreover, it is possible for the legislature to reorganize the courts at its pleasure, so that by creating new judges the political departments of the government may always have that declared to be law which will fulfil their ends. And this, too, has been done.

In short, in many States, by any or all these means, the judiciary, whether elected or appointed, has been made the mere tool of party. The courts have been disgraced, and the name of justice has fallen into contempt, because, in order to secure unhesitating support, politicians have crowded the bench with judges who might be bought with money.

When the legislative, the executive, and the judicial func-

tions of States are thus grasped by a single hand, with the directing power seated, as it is, at Washington, consolidation is complete, and the government has ceased to be "a government of laws and not of men." Had the Convention of 1787 followed the advice of Hamilton, consolidation, indeed, might have come, but it would have been of a very different kind. He advocated a strong central government, the President appointing the governors of the States, and the whole fabric supported by a standing army. His system would, perhaps, have ended in despotism; but, at least, it would have been the despotism of a legitimate government, sustained by open and acknowledged means, — one capable of making itself respected, and of being obeyed by a people who respected themselves. The fate to which the country seems drifting presents no such redeeming trait. The spectacle offered is that of an executive reduced to impotence by the legislature; of certain members in the more powerful body of that legislature, responsible to no one for their action, forming a junto which controls the policy of the nation; of the various members of that junto striving each to "capture" his own State by systematic corruption; and, finally, of Congress stretching out its arm to drag down the Supreme Court, making its own will law.

This is reducing government to its simplest form, though still preserving the cloak of ancient names. The usurpation of the legislature means the naked rule of numbers. Under some circumstances even such a result might be accepted, if not with complacency, at least with cheerfulness; but under the existing system majorities are manufactured by demagogues craftily manipulating the least intelligent portion of society.

The facts on which these conclusions are based have occurred within a few years, and are still fresh in the memory of all. Indeed, many of the most startling developments date no further back than a few months. Yet, in order to place clearly in view the sequence of events, a short sketch of portions of General Grant's administration will be useful, not only as illustrative of the past, but as significant of the future.

The President, at the beginning of his career, apparently intended to place his reliance on men of common-sense, as he

understood it, and to discard the ordinary politician. With this purpose in his mind, he named Mr. Stewart for his Secretary of the Treasury; but when his ineligibility was discovered, the President was left with no second candidate of his own choice. In this dilemma, he yielded to Congressional solicitation, and sent Mr. Boutwell's name to the Senate. No appointment could have been more unfortunate; for, not to dwell on the qualifications of that gentleman, as a financier, for the office, Mr. Boutwell had been bred in the school of local Democratic politics. The training received in such an atmosphere had produced its natural result, and the new Secretary regarded statesmanship as a mastery of the arts of manipulation. Instead of sustaining General Grant in the stand he had taken, he threw his whole influence into the opposite scale. His idea was to strengthen the party; he neither understood nor desired reform; and he lent the vast power of his department to men far worse than himself, whose designs he failed to fathom. Mr. Hoar was Attorney-General.

The first great question that arose regarded the constitutionality of the Legal Tender Acts. As the events which followed struck at the independence of the Supreme Court, they must ever remain a matter of the deepest interest. In Hepburn *v.* Griswold "the majority of the court as then constituted, five judges out of eight, felt obliged to conclude that an act making mere promises to pay dollars a legal tender in payment of debts previously contracted is not a means appropriate, plainly adapted, really calculated to carry into effect any express power vested in Congress, is inconsistent with the spirit of the Constitution, and is prohibited by the Constitution." This decision was not declared from the bench until February 7, 1870, but it had been generally understood that it would be unfavorable for a considerable period before it was made public, and abstracts from it had appeared in the newspapers at least a week previously. In commenting on it Mr. Justice Field says: "That judgment was reached only after repeated arguments were heard from able and eminent counsel, and after every point raised on either side had been the subject of extended deliberation. The questions presented in that case were also involved in several other cases, and had been elaborately ar-

gued in them. It is not extravagant to say that no case has ever been decided by this court since its organization, in which the questions presented were more maturely considered. It was hoped that a judgment thus reached would not be lightly disturbed."

The President, the Attorney-General, and the majority of Congress were, however, bitterly opposed to the principles of this decision, and how that judgment came to be overturned is thus detailed in a note to the Legal Tender Cases (8 Wallace, 528) : —

"By act of March 3, 1863, the court was ordered to consist of ten members; a new member being then added. By act of July 23, 1866, 'to fix the number of Judges of the Supreme Court of the United States,' etc., it was enacted 'that no vacancy in the office of Associate Justice shall be filled by appointment until the number of Associates shall be reduced to six, and thereafter the Supreme Court shall consist of a Chief Justice and six Associate Justices.' By an act of 10th April, 1869, to take effect from the first Monday of December, 1869, it was enacted 'that the court should consist of a Chief-Justice and eight Associates, and that for the purposes of this act there should be appointed an additional Judge.' Hepburn *v.* Griswold, it is stated in the opinion of the court in the case, was decided in conference November 27, 1869 (8 Wallace, 626), there being then eight Judges (the Chief Justice and seven Associates) on the bench, the lowest number to which the court had been reduced. One of them, Justice Grier, resigned February 1, 1870. The judgment in Hepburn *v.* Griswold was announced from the bench and entered February 7, 1870. Mr. Justice Strong was appointed February 18, 1870, and Mr. Justice Bradley, March 21, 1870; and the order for the present argument was made by, and the argument itself heard before, the court of nine as constituted by act of 10th April, 1869."

That argument was the argument made in the Legal Tender Cases. Judgment was rendered in the following December term, reversing the decision in Hepburn *v.* Griswold by a majority of one, both of the new judges voting for reversal. Well may Mr. Justice Bradley say in his opinion: "It should be remembered that this court, at the very term in which, and within a few weeks after, the decision in Hepburn *v.* Griswold was delivered, when the vacancies on the bench were filled, determined

to hear the question re-argued" on the motion of the Attorney-General.

No better example could be found of the impotence of the courts before a popular majority. It was the first time in American history that the constitution of the Supreme Court of the United States had been changed with the effect of influencing its decision on a vital question of constitutional law, but it is to be feared that it will not be the last. The precedent is one that is only too likely to be followed. This single act has done more to shake public confidence in the judiciary, and to engender a distrust in the stability of the law, than even the famous decision in the Dred Scott case. It is nothing to the purpose that all parties acted in the best faith, from a high sense of duty, and from the purest motives. The stubborn fact remains that a solemn judgment of the highest national court, rendered only after exhaustive arguments and on the most mature consideration, was reversed within a few months by the votes of new judges raised to the bench within two or three weeks after the delivery of that judgment; and a second decision made in unison with the loudly expressed desires of the predominant political party. A wrong decision by the Supreme Court on an important subject is doubtless a public misfortune; but to attempt to rectify such a decision by fresh appointments to the bench is destruction to constitutional government. It furnishes a precedent for all following politicians to adopt the same means to accomplish their ends. It destroys the respect of the community for law, and it annihilates the confidence which the people repose in the wisdom, integrity, and power of that tribunal on which their liberty and their happiness so utterly depend.

Enough has been said of this remarkable violation of judicial sanctity to make obvious the conclusion to be drawn therefrom. The executive and legislative departments caused that to be declared law which accorded with their views. The two combined must ever hold the courts at their mercy. When public opinion has reached the point of tolerating such proceedings, paper constitutions may well be consigned to oblivion before they fall into contempt. It would be better frankly to admit the law of numbers, to withdraw political power from the courts, and thus to preserve their dignity and integrity even at the

sacrifice of those exalted functions which the people fail to appreciate and to uphold.

The system of federal interference with the independence of States is the next subject which requires notice. There is hardly a State in the Union on which an assault more or less violent has not been perpetrated, but two examples alone can be considered. They are those cases which have perhaps attracted the largest share of public attention, — the cases of Louisiana and of Massachusetts.

A general election was held in Louisiana in November, 1872, for governor, lieutenant-governor, members of the assembly, and other officers. W. P. Kellogg was the regular Republican candidate for governor, who was opposed by John McEnery. Returns of the election were made in pursuance of a State statute to a returning board composed of the Governor, Warmouth, the Lieutenant-Governor, Pinchback, the Secretary of State, Herron, — members *ex officio*, — John Lynch, and T. C. Anderson. The returns were sent under seal to the Governor, to be opened in the presence of the board.

On the meeting of the board it was decided that Pinchback and Anderson, who had been candidates at the election, were on that account disqualified to serve. The previous Secretary of State, Bovee, had been removed on a charge of corruption, and Herron had been appointed in his place. The legality of this removal was then before the courts. Warmouth, however, became distrustful of Herron (who was charged with designs of falsifying the returns in concert with Lynch), removed him, and made J. Wharton Secretary of State in his stead. The Governor and Wharton then proceeded to fill the vacancies occasioned by the withdrawal of these various persons; while Lynch and Herron, pretending to be the true board, elected members to complete their number. Thus there were two bodies existing at the same time, each assuming to be the true board. The Governor had exclusive possession of all documents and returns. In December the Supreme Court of the State decided that Herron was an intruder into office. Therefore it clearly appeared that he had no right to sit in either body, for his claim to sit depended on his being a member *ex officio*, as Secretary of State.

Kellogg, the Republican candidate, was undoubtedly defeated by a large majority. As soon as this result had become apparent, — but before a canvass of the returns had been completed, — on the 16th of November, Kellogg filed a bill in the Circuit Court of Louisiana, averring that the Lynch board was the true board; that he, Kellogg, had been elected; that the returns had not been properly counted; and praying an injunction against the Warmouth board and McEnery, the successful candidate. Mr. Justice Durell was the presiding judge. It is at least very questionable whether this bill on its face presented a case within the jurisdiction of the federal court. Nevertheless, Justice Durell at once issued an injunction on an *ex parte* hearing, enjoining the Warmouth board from acting except in presence of the Lynch board, and McEnery from setting up any claim to an election under its returns.

In the mean time, while these and other legal proceedings were slowly advancing, Warmouth signed an act, previously passed by the legislature, abolishing both boards and constituting a new one. He then organized another and different body in conformity with its provisions; the returns were duly canvassed and McEnery declared to be elected Governor. The names of the persons found to be chosen for the legislature were also published by the new canvassers, together with those of the other State officers.

The prospects of Kellogg now seemed desperate. Mr. Justice Durell, however, was master of the situation. On the night of the 5th December, in his own chambers, without any previous motion in court, he concocted the following order: —

"It is hereby ordered, that the Marshal of the United States for the District of Louisiana shall forthwith take possession of the building known as the Mechanics' Institute and occupied as the State House, for the assembling of the legislature therein, in the city of New Orleans, and hold the same subject to the further order of this court; and meanwhile to prevent all unlawful assemblage therein under the guise or pretext of authority claimed by virtue of pretended canvass and returns made by said pretended returning officers in contempt and violation of said restraining order; but the Marshal is directed to allow the ingress and egress to and from the public offices in said building, of persons entitled to the same.

"E. H. Durell."

Of course, so far as legality went, this order had precisely the same validity as if made by any other citizen.

The order was, nevertheless, delivered to Packard, the Marshal, who called in the aid of the federal army to assist him in executing it. On the morning of the 6th, Captain Jackson, U. S. A., took possession of the State House and occupied it for more than six weeks. On the same day, Collector Casey telegraphed to the President: "Marshal Packard took possession of State House this morning, at an early hour, with military posse, in obedience to a mandate of Circuit Court, to prevent illegal assemblage of persons under guise of authority of Warmouth's returning board, in violation of injunction of Circuit Court. . . . . *The decree was sweeping in its provisions*, AND IF ENFORCED WILL SAVE THE REPUBLICAN MAJORITY AND GIVE LOUISIANA A REPUBLICAN LEGISLATURE AND STATE GOVERNMENT."

The real legislature thus was swept aside; it only remained to organize a new one. On December 6th the Lynch board certified that Kellogg was elected Governor, and also certified a list of persons whom they declared elected to the legislature. There is nothing in all the tragedy of blunders and frauds under consideration, more indefensible than the pretended canvass of this board. It was testified by Mr. Bovee himself that they were determined to have a Republican legislature, and made their canvass to that end. No returns were before the board. The following question by Mr. Carpenter and answer by Lynch tell the whole story: —

By Mr. Carpenter. *Q.* You estimated it, then, upon the basis of what you thought the vote ought to have been?

By Lynch. *A.* Yes, sir. That was just the fact, and I think, on the whole, we were pretty correct.

Antoine (the defeated candidate for lieutenant-governor and deputy-collector at Shreveport) now filed his bill; he prayed, like Kellogg, that no one whose name was not on the Lynch list should be allowed to lay claim to any office, and also that Warmouth should be restrained from interfering with the organization of the legislature elected by Lynch.

Motion for this injunction was made on December 7th, and a restraining order was at once granted, couched in the broadest terms.

The legislature thus fraudulently chosen was duly organized. Resistance was useless. It had been installed by the United States Army in pursuance of a void order of a United States Judge. Pinchback took the presidency of the Senate; Warmouth was immediately impeached (it is unnecessary to say that the proceedings at the impeachment trial were utterly irregular and illegal); Pinchback assumed the office of Governor.

On the 11th of December, 1872, Pinchback telegraphed to Attorney-General Williams: —

"May I suggest that the commanding general be authorized to furnish troops upon my requisition upon him for the protection of the legislature and the guberhatorial office? The moral effect would be great, and in my judgment tend greatly to allay any trouble likely to grow out of the recent inflammatory proclamation of Warmouth."

Mr. Kellogg telegraphed: —

"If the President in some way indicates recognition, Governor Pinchback and legislature would settle everything."

And Mr. Casey sent a message saying: —

". . . . The delay in placing troops at disposal of Governor Pinchback, in accordance with joint resolution, is disheartening our friends and cheering our enemies. If requisition of legislature is complied with, all difficulty will be dissipated, *the party saved, ... and the tide will be turned at once in our favor. . . . .* "

This history may be fitly closed with the three following telegrams: —

DEPARTMENT OF JUSTICE, December 12, 1872.

ACTING-GOVERNOR PINCHBACK, *New Orleans, Louisiana*: —

Let it be understood that you are recognized by the President as the lawful executive of Louisiana, and that the body assembled at Mechanics' Institute as the lawful legislature of the State; and it is suggested that you make proclamation to that effect, and also that all necessary assistance will be given to you and the legislature herein recognized to protect the State from disorder and violence.

GEO. H. WILLIAMS, *Attorney-General.*

On the 12th, McEnery telegraphed, begging that action might be postponed until a committee of citizens could go to Washington and lay the facts before the executive. He received the following reply to his respectful appeal: —

DEPARTMENT OF JUSTICE, December 13, 1872.

HON. JOHN MCENERY, *New Orleans*: —

Your visit with a hundred citizens will be unavailing, so far as the President is concerned. His decision is made and will not be changed, and the sooner it is acquiesced in the sooner good order and peace will be restored. GEO. H. WILLIAMS, *Attorney-General.*

Then came the last resort of arbitrary power: —

WASHINGTON, December 14, 1872.

GENERAL W. H. EMORY, U. S. A., *Commanding New Orleans, Louisiana.*

You may use all necessary force to preserve the peace, and will recognize the authority of Governor Pinchback.

By order of the President:

E. D. TOWNSEND, *Adjutant-General.*

Thus did a constitutional federal Government deal with a sovereign State! Thus was that government established under which such terrible misfortunes have befallen that unhappy people! The best commentary upon the whole matter is the remark of the committee of investigation: "The saddest chapter in this melancholy business was the interference of federal authority with the affairs of Louisiana."

The second example is that of Massachusetts. In that commonwealth the Republican majority is very large, very compact, and remarkably steadfast. Throughout New England the people are peculiarly docile to party discipline. Long habit has there bound organizations together with bands too strong to be burst asunder without an absolute convulsion. The few persons who do throw off their allegiance are looked upon with suspicion by peaceable citizens as untrustworthy men, without balance, and of dangerous tendencies. An adventurer, therefore, who can secure a nomination, even by the worst means, probably stands less danger of defeat by defection than would elsewhere be the case.

What is known as the Essex district is the heart of the manufacturing interest of the State. It was there that the organization was formed which first secured the election of the present representative, and has since enabled him to make good his seat against all opposition. The Congressional history of the member from Essex is not a little puzzling. Certainly when he first went to Washington no man seemed less in favor with General Grant, and yet shortly after the advent of this admin-

istration he seemed to have gained great influence with the President and his Cabinet. He now addressed himself to the task of "capturing" Massachusetts. To this end he endeavored to secure the appointment of his friends to federal offices wherever an opportunity occurred. Patronage was liberally accorded him. A personal party was formed on the most approved pattern, and in 1871 he apparently thought the work far enough advanced to justify a decisive step. In the autumn of that year he announced himself as a candidate, and attempted to seize on the Republican convention which nominated the governor.

Probably no man could have been named within the Commonwealth more offensive to the body of respectable and intelligent citizens, nor one who could have presented the issue of federal interference more squarely to the people.

Without national support his design would have been impracticable, — with that support, not only was it practicable, but it even promised success. In every town and village a circle was formed round the postmaster, the collector, or some other government officer, who was moved by the hope of personal gain. Not a man who wished for place or had a job on hand but added to their numbers. The now too common spectacle was displayed, of men bound together by self-interest and spurred to exertion by greedy lust for spoil.

Notwithstanding all, the attempt failed, though the success with which caucuses had been manipulated was proved by the number of delegates who supported the new aspirant. Thenceforward a portion of the State central committee, who hold the whole party organization in their hands, was secured to him. Two years more were passed in perfecting the machinery of corruption. The government denied nothing to its favorite, and in 1873 he again renewed the contest. Once more he failed, and was driven to ask still further aid from Washington, — nor did he ask in vain. Mr. Simmons, who, in a subordinate position, had particularly distinguished himself in the management of the last canvass, was promoted by the President to the collectorship of Boston, in the hope that the most important national office in New England might offer a fitting sphere of action for his peculiar abilities. The struggle in

Massachusetts, it is true, lacks those startling incidents and dramatic effects which lend so great an interest to the transactions in Louisiana. The three most melodramatic elements are as yet wanting in the North: the corrupt judges, the soldiers, and the blacks. In their absence the coloring takes more sober hues, and the terribly striking contrasts are lost. But making allowance for altered circumstances, and looking exclusively at the principles involved and the intention of the actors, the same conclusion is arrived at. No distinction can be drawn between the attitude of the government toward the two States, — or between Mr. Kellogg and Mr. Butler.

These two cases are only illustrative of a great system which pervades all parts of the Union alike, — the system of corrupt consolidation. A third campaign against Massachusetts has already been announced; how it will terminate is uncertain. Should the Commonwealth fall, it will sink into the mire of ring government in which so many States already lie, and its wealth and strength will be used to drag down others to its low condition; for as State after State bows before this mighty power it becomes more difficult for the remnant to resist.

This tendency to overthrow local independence is not a passing ill, but on the contrary an evil which probably will grow with time. In a country so large as the United States, sectional questions are pretty certain to be those which fix popular attention and stir popular passion. Whichever section happens to be in the majority must control the government, but it is observable that not only a majority of the people, but also a majority of the States, is necessary to secure a predominance in all its branches. The temptation, therefore, for the party in power to manipulate State elections in the opposing section is almost irresistible. As in Hepburn *v.* Griswold, it will be argued that the end justifies the means. The respectable majority in Massachusetts never flinched in its support of the administration, notwithstanding and in the face of the Louisiana atrocities. And so it will ever be: so long as the power exists its abuse is certain.

The hardship of the situation is great, because while under a simply centralized government reform is comparatively easy, under the American system a rising of the people on any such

principle is difficult. A spasmodic effort is indeed possible, which may sweep away one nest of vermin, but in the mean time a new sectional issue will arise, a new party will be formed, and new demagogues bestriding the new organization will seek to subvert the States in the opposing section by national influence, and to lead them captive to Washington.

When passions are stirred, the people forget that the machinery they permit their leaders to use for foreign conquest will next be turned against their own liberties. The organization by States, though in certain respects a protection to minorities, in certain others is a tremendous engine for concentrating power in a few hands. It matters not by how slender a vote a State's election is carried, its weight is thrown as though its citizens were a unit. In case of "capture," its organization is added to the national organization, and by the union of the two a government of astonishing strength is formed, — one quite as capable of trampling on individual rights as any in existence. The condition of many Southern States proves this fact convincingly.

When this combination between the dual systems becomes general, that is to say, when men who have succeeded in corrupting the executive, the legislative, and the judicial departments of a sufficient number of States have also secured seats in the Senate and wield the power filched from feeble Presidents, the utter overthrow of the Supreme Court will be at hand. Already it is staggering under a recent blow. Consolidation then will be complete, the conduct of public affairs, both local and national, will be concentrated in an irresponsible senatorial junto, legal restraint will be removed by the subjugation of the courts, and constitutional government will be replaced by the shifting despotism of naked majority rule. Comment is useless. Recent developments have but too clearly demonstrated that the men who climb into office by illegitimate means understand how to create seeming majorities where none exist; how to stuff the ballot-box as well as how to pack the caucus.

Viewed as a consolidated empire, the United States offers peculiar advantages to the adventurer. The ordinary State is not too large to be controlled by a few audacious, unprincipled men, backed by the wealth and weight of the general government. Once secured, it affords him a firm foothold at Washington;

while its compact shape enables him to use it as a potent weapon in his war on the executive. To say that the combined votes of the delegates from two or three large States would sway most Presidential conventions is no exaggerated statement. The men who thus grasp power are absolute in the purest sense, for they hold in their hands executive, legislative, and judicial functions. They are also irresponsible, for they are screened by ancient forms of government whose vitality they have sapped; and their influence is based on an appeal to the worst passions of the most unprincipled and the least intelligent portion of society, for their strength lies in the caucus packed with voters whom their creatures can control, — by their creatures who themselves are bribed.

No such system can be permanent, for it is an organized attack on ability, integrity, and education. A government by a standing army is expensive; but a government by a corrupt civil service, with demagogues manipulating caucuses, is ruin.

If there be any justice in the foregoing reasoning, the following propositions may be considered established.

I. The situation of the United States to-day is in nothing anomalous or extraordinary. It is the legitimate result of a combination of circumstances which have influenced the people since they first formed themselves into a nation, and it is only one phase in the advance toward consolidation. Whether or not consolidation in some form would prove a benefit, remains in doubt; but that the advance in that direction has of late been rapid is a settled fact. The only point in debate, then, is, how long can the final catastrophe be postponed, and by what means can its approach be regulated.

II. Granting, for the sake of argument, that some form of consolidation must come, the shape which it seems assuming is the worst possible, because based on unsound foundations. The system of government now developing falls little short of placing absolute power in the hands of demagogues who use corruption as a means of controlling ignorant votes, since their fixed policy is to exclude integrity and intelligence from politics, and to rule by an appeal to folly and to fraud.

III. Such being the facts, clearly no spasmodic effort by the people to free themselves from intolerable burdens can produce permanent good. Momentary relief might in all likelihood

follow, but when new issues arise and new organizations are built upon the old basis to meet them, the old malady will surely break out with redoubled violence.

IV. No real reform is therefore possible which does not cut the evil at the root. Demagogues arrive at power by means of a feeble executive, a corrupt civil service, and the caucus system. First, then, a strong President must be chosen, who will curb the Senate, confine Congress to its proper functions, and who will be able to conceive and to execute a broad constitutional policy, — one who, above all else, will do battle for the courts. Second, rotation in office must be stopped by legislation; place must in future be held during good behavior, and place-men must be forbidden to mingle in politics. Third, something must be done to free minorities from their thraldom. How this shall be accomplished is of little consequence, whether by independent movements, like that of Governor Booth in California, by regular representation as in England, or by reviving the old custom which prevailed in the South down to the war, of candidates presenting themselves to the people without previous nomination. Any or all these methods are good, so far as they tend to produce the result. But, be the remedy what it may, some means must be devised of loosening the garrote of the caucus. That institution is now strangling the nation by permitting those — too often unworthy — men who handle party machinery to break down opposition, and to drive from the field all who will not stoop to peddle in their low arts.

Finally, nothing will avail unless heed be given to the warning in the Declaration of Rights. Unless the press and the country will rise to the level of the emergency, and will seriously turn to the discussion of those fundamental principles on which all government depends, the tale is wellnigh told. To a generation bred up in a knowledge of those great truths no future is threatening, for their wisdom would render tolerable the worst of systems. Ignorant or forgetful of them, disaster is certain. America has been wildly drifting for the past ten years, — a little longer and it will be too late. Nothing but a penetrating sense of their danger can save the people from having a dire choice thrust upon them, — the choice between anarchy and disintegration, or force.

Brooks Adams.

ART. III. — 1. *Die Darwinsche Theorie und die Sprachwissenschaft. Offenes Sendschreiben an Herrn Dr. Ernst Haeckel*, von AUGUST SCHLEICHER. 8vo. Weimar. 1863.

2. *Ueber die Bedeutung der Sprache für die Naturgeschichte des Menschen.* Von AUGUST SCHLEICHER. 16mo. Weimar. 1865.

3. *Lectures on Mr. Darwin's Philosophy of Language.* By PROFESSOR MAX MÜLLER. Delivered at the Royal Institution, March and April, 1873. Printed in Fraser's Magazine, and reprinted in Littell's Living Age, 1873.

THE doctrine of evolution, of the connected and progressive development of organic life on the earth, of the transmutation of animal and vegetable species, is, as every one knows, a leading subject of inquiry and controversy in this latter half of our nineteenth century. Hardly any one reads and thinks so little that he has not felt called upon to make up his mind, or at least to ask himself, on which side of the controversy he will take his stand. Yet at the same time there are comparatively few who will venture to take a decided stand, or who will feel themselves qualified to defend either side against attack. Though from some points of view the new doctrine may seem to be carrying all before it, from others a very different impression will be obtained. There is still a powerful party of opponents who may yet, for aught that we outsiders can say, prove the nucleus of a counter-movement that will sweep backward over the whole field. It becomes us to keep our minds open to conviction on either side, and wait till the biologists shall have fought their fight more nearly out; then we can see whether we will join the victorious party, or summon them to a new contest on other ground. Meanwhile, there are some subsidiary questions which do admit of settlement, and whose settlement will help clear the way for the final decision.

One of these subsidiary questions concerns the bearing of language on the controversy. Wonderful things have been brought to light by the aid of language during the past fifty years, in reference to the prehistoric history (if the seeming contradiction in terms be allowed) of the human race. And it cannot but have occurred to many to ask whether linguistic science, which has done so much, has not also a competent

judgment to pronounce in reference at least to the last asserted step of the infinite series of transmutations, the development of man out of a lower, a simioid animal. What the leading representatives of this science may have to say, either as to the point in question or as to their own authority as linguists to sit in judgment upon it, will assuredly be listened to with interest by the public.

It happens, now, that two of the best-known philologists of the day have expressed themselves upon the subject of the bearing of linguistic evidence upon the Darwinian theories, at considerable length and with unquestioning confidence, neither of them having the least doubt of his competence as a judge, and each claiming to settle the whole controversy beyond a peradventure. Both these men are Germans: the one, Professor August Schleicher of Jena, was long a leading authority in comparative philology, and hardly another scholar, save Bopp and George Curtius, has impressed himself so deeply upon that branch of knowledge, or done so much toward determining its prevailing doctrines; the other, Professor Max Müller of Oxford, is so well known to all readers of English that it is unnecessary to waste a word in describing his position and claims to attention. Unfortunately for the general public, these two eminent scholars have been brought to precisely contrary conclusions. Schleicher is a firm believer in Darwinism, and he even undertakes, and with a success entirely satisfactory to himself, to prove its truth by the evidence of language. Müller rejects Darwinism, and he lays himself out to demonstrate by the same evidence that it is not and cannot be true; and he, too, is equally confident of the triumphant success of his demonstration. Such being the case, there is a yet more obvious call for a reopening of the discussion, and an examination of the arguments by which such discordant results have been reached.

Upon Schleicher, in the first place, I do not need to spend much time. The pamphlets in which he puts forth and defends his views I have already subjected to a somewhat detailed criticism,* which need not be even recapitulated here. His argu-

* See Transactions of the American Philological Association for 1871, pp. 35–64; and my Oriental and Linguistic Studies (New York, 1872), pp. 298–331.

ment lies in a nutshell. Languages, he declares, are living organisms, with their own laws of development, and not dependent on the beings by whom they are used. Since, then, it is beyond all question that languages do develop and become transmuted, since a single stock-language ramifies into a variety of tongues, exhibiting differences as marked as those which distinguish the genera and species of animals and plants, it cannot be denied that organic beings do vary as rapidly and widely as the most eager Darwinian could ask; and if organic beings of one class, then, of course, those of other classes also: *quod erat demonstrandum.* The simple and obvious answer to this is, that languages are not organisms except by a figure of speech, and that therefore no conclusion can be carried from them over to real organisms. If Schleicher's view of the nature of language had any other adherents worth noticing, it might deserve a more elaborate refutation in this place; but although some linguists have pushed the instructive parallel between the so-called organic life of language and that of a plant or animal so far as almost, or somewhat, to confuse and mislead their own minds, no one but he, I believe, has ever deliberately attempted to make it the foundation of a scientific argument, much less to draw from it inferences of such wide reach and startling importance; and I believe that I am justified in claiming the assent and approval of the leading German philologists for my refutation of his paradoxes. Schleicher was a comparative philologist of immense learning, surpassing ingenuity, and a rare power of systematizing and ingenious construction; but his discussions in the domain of linguistic science show a rashness and unsoundness which culminated in the essays to which we are here referring.

We turn, then, to consider Müller's views, and the arguments by which they are supported.

It is never entirely easy to reduce to a skeleton of logical statement a discussion as carried on by Müller, because he is careless of logical sequence and connection, preferring to pour himself out, as it were, over his subject, in a gush of genial assertion and interesting illustration. I hope, however, to succeed in presenting his reasonings in abstract without doing him or them any injustice.

And, in the first place, it seems clear that Müller feels impelled to combat the Darwinian theory as to the descent of man by an overmastering fear lest man should lose, otherwise, his proud position in the creation. Thus, he says in the first lecture: "If Mr. Darwin is right, if man is either the lineal or lateral descendant of some lower animal, then all the discussions between Locke and Berkeley, between Hume and Kant, have become useless and antiquated." The same statement is put more clearly in the second lecture: "If it can be proved that man derives his origin genealogically, and, in the widest sense of the word, historically, from some lower animal, it is useless to say another word on the mind of man being different from the mind of animals. The two are identical, and no argument would be required any longer to support Hume's opinions; they would henceforth rest on positive facts." Few, I believe, of those who agree with Müller on the general question will hold with him in this particular; and any one must see that his state of mind is not one which will conduce to a calm and dispassionate, a scientific, discussion on his part. A man may be justified in fighting tooth and nail, by fair means and foul, against an absolute identification in point of intellect with the lower animals. The evolutionists, certainly, are actuated by no such dread. To them, the difference of endowment between man and his inferiors is — just what it is; something very substantial and very vast, which nothing can reason out of existence or reduce in dimension. So, also, the difference between the mind of the dog and that of the bee or ant, between that of the bee or ant and that of the oyster, is substantial and vast, and may, perhaps, be even greater than the other; as, in fact, it is in outside seeming certainly greater. It is all a matter for careful consideration, whether a continued chain of progression will lead from one of these conditions to another; and the dog may have as good a right to complain of Müller for putting him and the oyster into the same class of "animals" from whom man must be made out essentially different, as Müller to complain of Darwin for putting man and the dog together. But Müller is particularly severe upon the assumption of "insensible gradations" to bridge over any of the differences in any of the departments

of nature, animate or inanimate. Thus he says (second lecture): —

"This old fallacy of first imagining a continuous scale, and then pointing out its indivisibility, affects more or less all systems of philosophy which wish to get rid of specific distinctions. . . . . The admission of this insensible graduation would eliminate, not only the difference between ape and man, but likewise between black and white, hot and cold, a high and a low note in music; in fact, it would do away with the possibility of all exact and definite knowledge, by removing those wonderful lines and laws of nature which change the Chaos into a Kosmos, the Infinite into the Finite, and which enable us to count, to tell, and to know."

Now it may be not quite fair to hold a reasoner to an illustration as if it were a deliberate argument; but I wonder that Müller's own chosen illustrations here did not show him, as they cannot help showing many of his readers, against what a phantom he is fighting. Where are the "lines and laws of nature" which separate, for instance, the high from the low musical tone? I know of none except the lines and spaces of the staff; and they are products of art rather than of nature. If Müller is satisfied with the full and complete recognition of the difference between white and black, hot and cold, high and low, and their like (such as small and great, young and old, rich and poor, handsome and ugly), and considers the Kosmos and the Infinite as insured thereby, then there is no obstacle in the way of his becoming a Darwinian; for the Darwinian regards, rightly or wrongly, the difference between man and ape as entirely analogous with the rest, — that is to say, a mere difference of degree. Müller appears not to apprehend correctly the meaning of the "insensible graduation" used by the evolutionists as a factor in their arguments. He proposes (by a characteristic and telling figure) to draw upon the same bank which furnishes the million intermediate grades for eyes that will magnify their distances a million times, and is confident that his draft will be honored, and that the distances will continue to appear as great and insuperable as at present. But in this he overlooks the fundamental principle underlying the Darwinian theory — namely, the undoubted and undisputed fact that species do actually vary in nature. Between the

mind of a Newton or Cuvier and that of a dull English or French peasant there is a difference which does not need to be magnified a million of times in order to become conspicuous; yet Müller would hardly deny that the two are specifically related, and that the one might even descend lineally from the other. An "insensible graduation" is simply one of which the intervals are not greater than may be found actually occurring in nature between acknowledged kindred; and the question under discussion is, whether a succession of such intervals, following one another in the same direction, is capable of covering the spaces that separate the different animals from one another, — even man from his inferiors.

Upon such a question, especially at this stage of its discussion, opinions cannot but be at variance; and possibly they may always continue so. It belongs especially to the biologists to settle, and until they shall have arrived at a greater unanimity, the outside world will be justified in taking the affirmative or the negative according to their various bents. There is a considerable and respectable party who maintain the inviolability of specific differences, and refuse point-blank to admit that any transmutation is possible, in less or greater degree. It is not upon this broad ground that Müller elects to make his opposition; he only steps in between man and the creatures of next lower grade, and offers there his veto. As linguist, he claims to have found in language an endowment which has no analogies and no preparations in even the beings nearest to man, and of which, therefore, no process of transmutation could furnish an explanation. Here is the pivot upon which his whole argument rests and revolves.

It seems clear, however, that Müller cannot expect to daunt the evolutionists by setting up this obstacle in their way. There are other great steps upward in the scale of endowment which they will deem as hard to have taken as this. If they are ready to admit as possible a rise from the fixedness and unimpressibility of the polyp, for example, a mere link in the great chain of eater and eaten, to the free locomotion and the free intelligence of some quadrupeds, they will be likely to make little difficulty in adding on a power of speech. There is nothing, they will say, in the polyp, or even the reptile, to hold

out promise of a creature that shall soar and sing like the lark or the nightingale. And it savors of exaggeration — perhaps natural and excusable, but yet inadmissible exaggeration — in the linguist to set up the particular endowment which is the subject of his studies as the one of all others which cannot have come by addition to its predecessors. He must argue the case with moderation and acuteness, on strict scientific grounds and by scientific methods, if he is to convince our judgments.

And I, for my part, do not think that Müller satisfies these reasonable requirements in any tolerable measure. So, for one thing, with the way in which he sets up language as *the* distinctive quality, the "specific difference," of man. Any one would naturally infer, from his account of it, that language is a unitary endowment, a gift like that of sight or hearing, and that it is all, or so nearly all, that makes man's superiority, that any given animal, plus speech, would equal man. To talk thus about it is not to talk science, even linguistic science. I should be a little troubled at believing that I held my position so exclusively by one right. It would not be without a certain secret shudder that I should join in the laugh at Schleicher's "joke," twice quoted by Müller in these lectures: "If a pig were ever to say to me, 'I am a pig,' it would *ipso facto* cease to be a pig." For wonderful things have happened; there is now and then a mouse that sings; and there are learned pigs; what if some time one should arise so learned as to compass the bodeful declaration of pighood which would be in effect a proof of manhood, and so should push us from our throne? I, however, can reassure myself by reflecting that there are many other things a pig cannot do and a man can; if his pigship were to fashion a violin and play a tune upon it, or draw a picture of his respectable mother, or even cut down trees and build himself a house, I should hardly dare to call him by his old name; and if he were to address me in good pigwigian speech, I should think that his identity did not cease by that act, but must have ceased long before.

In arrogating such overwhelming importance to language as a human characteristic, Müller claims both too little and too much. Too little, because the superiority of human endowment comprehends vastly more than that. It is, for example,

every whit as characteristic of man to increase and supplement the capacity of his hands by using tools; and nothing else that he does bears so pervading and instructive an analogy with his use of words. Yet no one would be justified in setting up the use of instruments, in a concrete way, as an impassable barrier between man and brute. It would be necessary, rather, to analyze the individual capacities of which this is the joint effect, and to examine narrowly what beginnings of them, or indications looking toward them, are to be found in any of the inferior races, and by what deficiencies they are counteracted and futilized. And it is precisely by neglecting to do this thing with reference to language that Müller claims too much. It is a very cheap and easy thing to assert, as he does, that, "taking all that is called animal on one side, and man on the other, I must call it inconceivable that any known animal could ever develop language": nobody will think of disagreeing with him here; if the development of language were within the reach of any but man, it would long since, doubtless, have taken place. When, however, he claims that an increase of the endowments of any animal in such manner and degree as to put language within its reach is also inconceivable, a wonder as compared with which he could much more readily hold "that that most wonderful of organs, the eye, has been developed out of a pigmentary spot, and the ear out of a particularly sore place in the skin," he cannot but seem to many to be using the exaggerated and unscientific phraseology of mere prejudice and presumption, and they will have the fullest right to look sharply to discover on what basis of linguistic philosophy such a view reposes, and by what arguments he will attempt to establish its soundness. Nor do I think that they will be reassured and satisfied by the result of their inquiry. Let us examine and see.

In the first place, Müller prepares his ground by denying categorically that we can know anything about the mental states and mental acts of the lower animals. "If there is," he says, "a *terra incognita* which excludes all positive knowledge, it is the mind of animals." "The whole subject is transcendent." There is a compromise among philosophers of the last century, "declaring the old battle-field, on which so much ink has been shed over the question of the intellect of

animals, to be forever neutralized," and it "ought hardly to have been disturbed, least of all by those who profess to trust in nothing but positive fact." It is calculated to make a man of science of the nineteenth century a little impatient to be told that his predecessors of the eighteenth, which he almost regards as the age of darkness, have settled any question, in relation to the animal or vegetable or mineral kingdom, so thoroughly that he must not venture to reopen it; or that there is any phase of animal life and activity into which he may not look with the hope of learning at least something about it. By an error which is not uncommon with him, Müller expands a partial impossibility into a total one; because we cannot fully comprehend the mental processes of even the animals nearest to us, he would claim that we can know absolutely nothing about them. In his sense, it is impossible to know anything about even our fellow-men. Who, for example, can be sure that, if he had a friend's sensorium in his brain instead of his own, he would get precisely the same sensation of color as at present from the green grass and the blue sky? The point is one which we can never bring to a test; "the whole subject is transcendent"; yet we content ourselves with the inferences we are able to draw from the like conduct of other men under conditions like those we experience, and we feel that we know something about them. And the same sources of knowledge stand us in stead with regard to the brute. We believe that the horse sees green, and tastes water, and feels pain, as confidently, and on nearly the same grounds, as we believe that our neighbor does the same. We are satisfied that we appreciate the feeling that makes puppies and kittens play, or the dog rub itself against its master, or look affectionately up into his face and wag its tail. It may be very unphilosophical; but it is part of the same common-sense philosophy which makes us believe in our own existence, and in that of beings and things external to ourselves, and of which every metaphysician that says "I" and "we" and "you" and "they" virtually acknowledges the truth, however firmly he may persuade himself that he has assurance of nothing in the universe save his own states of mind, if even of those. We have, it is true, one additional source of knowledge respecting our fellow-men,

namely, their speech; and the advantage this gives us is very great; so long as Müller will let us look upon it as a matter of degree only, he can hardly claim anything in its favor which we shall not be disposed to grant; but it is not the only source, nor is it infallible; it requires to be both supplemented and controlled by that same observation of conduct under conditions which is all we have to rely upon in the lower animals.

But Müller's assertion of our boundless ignorance as to the mental states of brutes seems intended by him to embarrass only his opponents' reasonings, and not his own; for he goes on to maintain, in an equally categorical manner, that "animals receive their knowledge through the senses only"; that "conceptual knowledge" is denied to them; that "no animal except man possesses the faculty, or the faintest germs of the faculty, of abstracting and generalizing." This doctrine of the incapability of any animal but man to form a "general idea" is very familiar to all who have read Müller's works; and many, probably, like myself, have looked with interest to see on what grounds he holds it, without ever discovering them; here, also, notwithstanding its pivotal value in his argument, he is equally chary of its proof; he only asserts that no "philosopher of note" denies it, and quotes as examples Locke and Schopenhauer. We do not, however, as I think, need to let ourselves be put down once for all by such a citation of authorities, nor to trouble ourselves to draw up an array of opposing authorities; votes are a less acceptable method of settling a question like this than a view of the facts involved. And I must say that I do not see how the formation of general ideas, within the narrow limits of their understanding, can possibly be denied to the lower animals; it is a necessary attribute, not of the higher powers of human reason only, but also of the humbler quality of animal intelligence: nothing that we can call intelligence is to my mind conceivable without it. What is there so wonderful and exalted in the formation of a general idea? It need imply no more than the power of being so impressed by a thing in the assemblage of its qualities that on seeing another like it we recognize it as being like, and expect the same acts or effects of it. Let us examine a little Müller's own illustration. A child, he says, that for the first

time sees an elephant, however much he may go about it and inspect it, does not *know* the elephant. We might dispute, I think, whether the child does not get a beginning of knowledge from such a first inspection; but let that pass. If, then (we are told), the child sees another elephant, or the same one a second time, and *re*cognizes the animal as that, or like that, which he saw before, "then, for the first time, we say that the child knows the elephant. This is knowledge in its lowest and crudest form. It is no more than a connecting of a present with a past intuition or phantasm; it is, properly speaking, *remembering* only, and not yet *cognition*." There seems to be a little inconsistency here. The child recognizes the animal, and knows it, and yet his act is not cognition; he remembers his former perception, puts it alongside his present, and apprehends their likeness, and yet it is only remembering. Here, again, Müller ignores the gradual formation of a general concept. He insists on black and white, high and low, without any degrees between them. For he goes on to point out that an older child, on seeing an elephant, even for the first time, knows it for an animal; and here, and only here, does he acknowledge that a concept has been formed. I maintain, on the contrary, that the idea of an elephant, which the child forms on the basis of two or more sights of the animal, is just as truly a general concept as that of an animal; it only is not one of so high an order; it calls for less experience, less penetration, less judgment, than the other. And Müller, confessing that "the animal intellect, according to the ordinary interpretation, would go as far as this, but no further," virtually concedes the point in dispute, and allows the formation of general ideas by the animals. He then advances a step, and exhibits to us a young man of some scientific training judging the same creature to be a vertebrate, a mammal, a pachyderm, a proboscidate, and finally, an object; and seems to think that, as he rises higher and higher in the scale of what is possible only to the highly trained human intellect, he is more and more strengthening his dogma, that nothing below man exhibits "the faintest germs of the faculty of abstracting and generalizing." I cannot see it in that light; for me it is sufficient to know that an animal like a dog perfectly knows what a man is, never confounds it with

any other creature, knows what to fear and hope from it, in order to hold, with a confidence that is proof against all authority, the doctrine that an animal lower than myself possesses such germs of the faculty of generalizing as are distinct only in degree from those which I possess. If the dog had language, he would as certainly say *man*, or something equivalent, and would apply it as correctly, as any of us do. We might illustrate with a hundred other equally clear cases, but one is as good as a hundred. No doubt we should by and by come to a limit, where the case would be doubtful. I am very certain that neither dog nor elephant nor monkey could ever rise to the conception of a vertebrate, any more than many races of men with grammars and dictionaries have done; as to that of an animal, I should not at present venture to hold a confident opinion; certainly I should be loth to deny it.

There are other points where Müller seems to mistake the limit between animal intelligence and human reason, and to claim solely for the latter what, in an inferior degree, belongs equally to the former. It is so with the matter which occupies his attention through nearly the whole of his first lecture. There he endeavors at great length to send the naturalists, the biologists, back to the study of Kant, and to the discussion of the opposing theories of Hume and Berkeley, warning them that otherwise they cannot expect their opinions to fit in as harmonious parts in the great fabric of human knowledge. Whether they will much heed his exhortations may be doubted. They are an opinionated set of men, so busy in the investigation of what they deem to be facts, and so convinced of the importance of the results they are reaching at every step, that they are a little impatient of being interrupted by people who want them to settle first what a fact is, and whether there is any reality in all that is busying them. They have a short and easy, even if a very unphilosophical, way of settling these ultimate questions, — namely, on the principle, familiar enough to them, of accepting the hypothesis that on the whole best explains the facts, and pushing directly on to the accumulation and classification and comparison of more facts. On this ground, they hold that a man is a being set down in the midst of a universe composed of beings and things just as real as he

himself is, and that he is by his senses and his reason put in such relations to this universe as enable him to learn something about it; that he is essentially an intelligent being, capable of receiving information and acquiring knowledge. That the knowledge gained is imperfect, in part delusive, mixed with error, they freely confess. They know, for example, that the sensations of color, of sound, of heat, are as subjective as that of pain; that these are only the ways in which our sensitive organism is made cognizant of the fact that other bodies are in certain states of vibration; and, just as the absence of an ear would wellnigh hide from us the fact of sonorous vibration, so the acquisition of new senses not possessed by us might probably enough open to us a host of things of which we now have not the faintest conception, though they are as real as what we do perceive; even as Neptune and Uranus, and the rings and moons of Saturn, were real for ages before a single intelligence upon earth had so armed its power of observation as to discover them. They believe that theirs is the true and fruitful method of increasing human knowledge and eliminating human error; and they believe that metaphysical reasoning will never succeed in pushing more than an infinitesimal part of mankind off this basis; that even the metaphysicians really stand upon it; and that metaphysical science comes gleaning after physical, compelled to accept and work up in its way the latter's results.

Whether they are right or wrong in all this, they doubtless will not, as I have said, be driven off their position, or shaken in it, except by a more powerful assault than Müller makes upon them. And especially, they will not be led to acknowledge the paramount authority of the Kantian doctrine, in its bearing on the question of the development of man. What Müller claims most confidently and demonstrates most triumphantly by his first lecture is, that the categories of space and time, and the law of causality, whereby we postulate certain existences external to ourselves as the producers of certain effects in us, are elements of knowledge furnished by our mind itself, not received from without. This we can well afford to grant him, for all the purposes of the main question that occupies us. For no zoölogist, we presume, will think of

questioning that the minds of some of the lower animals furnish them precisely the same elements. That a dog, and many another animal, apprehends with all possible distinctness the existence of other beings than itself, it does not seem as if Müller even would have the boldness to deny; nor do the same animals fail to realize, as the basis of life, that succession of events, and that juxtaposition of objects, which are the foundation and the practical phase of what we call time and space. That the full conception of space and time is not too difficult an abstraction to be realized by even the highest animals I would not assert; but it may be confidently maintained that they possess here even more than those "faintest germs of the faculty of abstracting and generalizing" which Müller would fain deny them; germs enough to develop, with an increase of intelligence and the consequent acquisition of language, into all that belongs to us.

If we examine the extract from Locke made by Müller, we shall see that the former denies to brutes the power of forming general ideas, simply on the ground that they do not talk. He says, "The having of general ideas is that which puts a perfect distinction between man and brutes, and is an excellency which the faculties of brutes do by no means attain to. For, it is evident, we observe no footsteps in them of making use of general signs for universal ideas; from which we have reason to imagine that they have not the faculty of abstracting or making general ideas, since they have no use of words or any other general signs." The fallacy lurking here is the assumption that, if general ideas were formed, they could not help finding expression in words; and that I can see no good ground for. Müller does the same thing in his own way, as follows: —

"Language, such as we speak, is founded on reason, reason meaning for philosophical purposes the power of forming and handling general concepts; and as that power manifests itself outwardly by articulate language only, we, as positive philosophers, have a right to say that animals, being devoid of the only tangible sign of reason which we know, namely, language, may by us be treated as irrational beings, — irrational, not in the sense of devoid of observation, shrewdness, calculation, presence of mind, reasoning in the sense of

weighing, or even genius, but simply in the sense of devoid of the power of forming and handling general concepts."

All the assertions here are such as will be disputed by men of another way of thinking than our author. Reason, they will say, is that degree of power over general concepts which we possess, and which is so much higher than anything possessed by brutes that it is properly called by a different name. Again, "handling" general concepts is an ambiguous and unscientific phrase, and involves, perhaps, more power than "forming" them; we might fairly enough say that the effective management of ideas is possible only by means of a system of signs, which the brute confessedly has not. But to put the formation of general concepts at the very top, and the power of weighing probabilities and calculating results, even genius itself, far below, is to turn the natural order of things topsy-turvy. I wish Müller would once attempt to show how the results of past experience are to be applied to the regulation of present action save through the medium of general ideas. Nor, once more, is articulated language, or language of any kind, the only intelligible manifestation of reason. There is rational conduct as well as rational speech, and it is quite as effective as speech. There could be no building, no weaving, no instrument-making, no art, without reason, but it is conceivable that they should exist without speech. All these, speech included, are parallel capacities of the rational being; each needing for its development and education the fostering care of circumstances and the accumulation of general and long-continued experience; of different degrees of elevation and importance; and each, in its own way and measure, helpful to every other. Müller himself acknowledges, nearly at the beginning of his lectures (by a nearer approach to the truth than we have ever noticed him to make before), that, "though the faculty of language may be congenital, all languages are traditional." Unless, then, reason is a matter of tradition rather than of natural gift, a man may fail to have had any language handed down to him, and so may fail to give what Müller regards as the only possible evidence of reason, and yet may be rational. There are especially two cases in which this failure may and does take place, — that of the solitary and that

of the deaf-mute. Of these two, Müller has repeatedly maintained that the latter does not possess reason; and I have always thought it a complete *reductio ad absurdum* of his theory of language and reason; nothing can be right which conducts us to such a paradox as that. At present he shows signs of drawing back. He ventures no assertion on his own responsibility, but tells us that, "according to those who have best studied this subject, it is perfectly true that deaf-and-dumb persons, if left entirely to themselves, have no concepts, *except such as can be expressed by less perfect symbols.*" The statement has a tinge of bathos in it; it ought not to take much profound study, one would think, to bring to light a truth so obvious as that an unfortunate who is cut off from nearly all the ordinary means of instruction will fall far below his fellows in mental training. And the "those who have best studied this subject," as appears from the reference given, are a single French physician, who maintains only so much as this: that those who by congenital mutism are restricted to their own individual experience retrograde toward the primitive savage condition of man, and that their minds are unable to develop themselves. I think that the gentleman in question would be somewhat astounded, if he knew that he had been relied on as sole voucher for the doctrine that human beings with numb auricular nerves are destitute of reason. And the last clause of Müller's statement, which I have italicized, annuls its whole force. If the deaf can form concepts and express them by any symbols at all, whether more or less perfect, they can, according to Müller's own view, reason. He himself points out, only a paragraph or two later, that the kind of symbol is a matter of wholly secondary consequence; the essential thing is that any symbols are made, and that through their aid general concepts are "handled."

There is another of his old doctrines, closely connected with these, to which Müller seems minded to adhere more tenaciously, namely, that thought without words is impossible; though, after all, some of his expressions about it are so loose that we cannot quite tell what he means. Thus, in the very form which he gives to the question itself, "Are concepts possible, or, at least, are concepts ever realized, without some form or

outward body?" Here are two discordant things mingled together as if parts of the same view. It may be possible for concepts to be formed, and yet not realized; that is to say, not so put before the consciousness of the conceiver that he knows, or "realizes," what he is doing. And that would be very nearly my view: thought is possible without language, but reflection is not; the thinker cannot hold up his thought before his own mental eye (at least, otherwise than in the most imperfect way) without the aid of symbols; words bring thought under the full review of consciousness. Müller answers his question in the negative, and goes on: "If the Science of Language has proved anything, it has proved that conceptual or discursive thought can be carried on in words only." Here again he limits "thought" in such a way as to render his meaning unclear without some explanation. Perhaps by "conceptual or discursive thought" he intends some of that higher kind of abstract reasoning which any one would admit to be impossible without signs, even as the higher mathematical processes are impracticable without figures and other symbols. Perhaps there is another and a simpler kind of thought, which is nevertheless thought, of which even he would allow the unassisted mind to be capable. If he does not mean this, many students of language will maintain that their science proves just the opposite of what he claims. What follows is more explicit: —

> "We can, by abstraction, distinguish between words and thought, ... but we can never separate the two without destroying both. If I may explain my meaning by a homely illustration, it is like peeling an orange. We can peel an orange, and put the skin on one side, and the flesh on the other; and we can peel language, and put the words on one side, and the thought or meanings on the other. But we never find in nature an orange without peel, nor peel without an orange; nor do we ever find in nature thought without words, or words without thought."

This illustration is not at all to be found fault with on account of its homeliness; the more homely and familiar, the better, provided only that it be used as an illustration, as an auxiliary to argument, not as a substitute for it, and provided that there be such an analogy between the things compared, in cer-

tain essential respects, that the one fairly casts light upon the other. But, so far as I am aware, this is the nearest approach that Müller has ever made to giving a reason why we should believe that thought is impossible without words; and when it comes to assume thus the character of an argument, when we are called upon to believe that thought cannot exist without expression *because* an orange is never found without a skin, then we cannot help examining narrowly the analogy upon which so much is built. And I think we shall find it not quite broad and solid enough to sustain so great a superstructure. Orange-peel, in the first place, is of the self-same substance, and produced by the self-same forces, as the rest of the orange; it is a part of the orange itself; while, on the other hand, a conception, a judgment, a volition, a fancy, is an act of the mind, while a word is an act of the body, just as much as is a gesture, or a grimace, — by either of which, indeed, as our author points out, the place of a spoken symbol may be supplied. It is, to be sure, an act of the body under the government and direction of the same mind that forms the thought; but so also the orange-tree makes roots, and stem-wood, and bark, and leaves, which are not orange-peel, though they may come to be used to wrap oranges in. Again, every orange has its own particular skin, and of one unchanging form and size and thickness and color; while the thought and the word are so independent of one another, that either may be altered to any extent without modifying the other; the word may be reduced to the driest vestige of its old self, and the contained idea be as rich and juicy as ever; and the substance of the idea may shrivel away to the emptiness of a mere sign of formal relation, while the word continues to make a fair show. Moreover, as many languages as there are, so many different words for the same thought, words as different as orange-peel and lemon-peel, and apple-skin and potato-skin, and ox-hide and fish-scales. When the Normans came into England, a long time ago, they brought with them a store of skins of a different growth, in which English oranges finally came to be to no small extent enclosed. And nowadays, when our tree produces new fruit, we go to certain countries of Southern Europe, where there was abundant production in old times, and trim and piece to-

gether out of their dead material wrappings for our fresh acquisitions. Truly, the comparison seems to halt a good deal, when we try to make it keep even with these characteristic and essential facts in the history of our language, and of other languages. Words are much less like the natural coverings in which oranges grow than like the boxes in which these are packed for transportation. Oranges cannot be conveniently "handled," and laid up, and sent about, and dealt in, without such cases; and every community that grows them provides also cases for them, of such material, and in such forms, as convenience and custom prescribe. Of course, this analogy also has its weak sides, and could easily be made to appear absurd by pushing it too far; I only claim that it is enough truer than Müller's to constitute a satisfactory refutation of the latter; and to justify those who hold the doctrine of the merely external union of idea and word in waiting with undiminished confidence to see whether anything less easily disposed of can be brought forward against them.

That character, certainly, does not belong to the paragraph in which our author attempts a little later to hold them up to ridicule, imagining them sitting down to prove their view experimentally by deliberately thinking of some familiar and long-named object like a dog, without help from its name. The laugh, with most of his readers, will be only against himself, for such a ludicrous misapprehension and misrepresentation of his opponents' views and methods of proof. If it were prevalently believed (and really there is not so absolute an unlikeness between the two doctrines) that a man's shadow was a mysterious and ineffable part of him, brought into the world with him and necessary to his existence, any one might just as suitably ridicule the philosopher who should try to show the contrary, by depicting him in the attitude of making frantic attempts to jump off his own shadow, or run away from it. Every one who knows anything of language knows that in our mental habits words and ideas have become so welded together as to be wellnigh inseparable; and that it is especially in the deliberate, conscious, reflective action of our minds that the word most unavoidably accompanies the thought. One must catch the mind off its guard, as it were, or must observe

it working out and assimilating new knowledge, and casting about, often in the most open manner, for new designations for such knowledge, or must notice how, under the framework of its speech, it is drawing distinctions and pointing conclusions which words are then stretched or narrowed to cover, if he would appreciate what is meant by the mind being independent of words save as it uses them for its instruments and auxiliaries. Observation, comparison, perception of resemblances and differences, — these, in their degree, are the characteristic operations of human minds ; and there is not one of them which, in its simpler stages, is not independent of speech ; only speech enables us to rise into ever higher stages of mental action, to deal with subjects which would otherwise be quite out of our reach. If, standing under a fruit-tree, I compare two sticks, and choose the longest with which to reach the bending branches, I have done an act which is distinctive of human reason, which no other animal is capable of, and which is nevertheless wholly independent of language ; it and its like might have been done a million times before there was such a possession as language among men. If, instead of the familiar dog, Müller had brought before him some wholly strange animal, he would find that he could shut his eyes and call up the image of it readily enough without any accompanying name ; and though he would at once proceed to examine it by a variety of customary tests, all of them connected with names, this would only be repeating known processes of judgment, every one of which had at some previous time, when brought distinctly before the consciousness, received its name, for convenience of " handling " ; and every act of testing, and affirmation of likeness or unlikeness, would be an act without words ; he might discover some new and highly peculiar quality in the creature, which he would proceed to name and set before future observers as an additional test by which they should try future discoveries. That is the way that knowledge grows, by observations and deductions of which each one, after it is made, is incorporated in a name or names, and taught by him who has made it to the rest. Look, further, at the coarseness of such a word as *sun*, in comparison with the intricacy, the subtlety, the pregnancy, of the idea which it designates ; no small part of

human culture has gone to the reinforcement of the idea, while the name remains as simple and insignificant as of old. So, again, the word *tact* is a foreign one, borrowed out of the vocabulary of a dead language, and means simply "touch," a physical capacity; but all the influences of a long-trained experience of life and of refined society have helped to give it its meaning. To be sure, the possession of language is among the most powerful of these influences; without it there would have been little knowledge and no culture; but the theory that places the idea in slavish dependence on the word is overthrown when we see that an infinity of causes go to determine the growth of every idea, with no corresponding effect upon the word.

I am convinced that Müller does not yet quite understand what is implied in the theory of the antecedency of the idea to the word, in the minds of those who hold that theory. In his various attempts to characterize it, he has never done it any sort of justice. He is so penetrated with a sense of the supreme importance of language to man, that he cannot bear to admit anything which seems to him to derogate from it. And he is not ready to see that there remains to language all the importance that the most exacting linguist could demand, even if we regard it as only the instrument of which the mind avails itself in order to do infinitely more and better work than it could do without such an instrument. He will have all or nothing; language must be not only language, but also thought, reason, mind itself. In this he unwittingly takes the ground of one who should be so struck with the wonderful achievements of steamships, locomotives, and cannon, of weaving-machines, pin-making machines, and mowing-machines, as to deny that there is any power or skill in the bare human hands. Strong in the assurance, attainable by even a very superficial study of human action, that the thinking which we actually do could not be carried on without words, he denies that any thinking is possible but by their aid; resembling in this a mathematician who, because the product of $57{,}493 \times 79{,}628$ cannot be obtained without written processes, should declare that the sum of $1+1$ is not discoverable but by their aid.

I do not at all despair of Müller's finally coming to see this

himself, and of his explaining that, when he denied the antecedency of ideas to words, he only meant to deny that men elaborate a great store of ideas, and then, by an afterthought, proceed to invent names to be applied to them; and that, when he maintained that concepts could not be formed and handled without signs, he referred particularly to the handling, and also to the fact that, when a concept has been formed, the mind cannot help seeking a sign for it, and using this sign as a necessary standing-ground from which to rise another step. For he has in these lectures done a thing quite analogous with that. Those who have read his first "Lectures on the Science of Language" (and who that is interested in the study of language has not?) will doubtless remember that in his last lecture he seemed to scout and to ridicule those who believed that interjections and imitative sounds were or might most probably have been the first starting-point of language, giving to their views the nicknames of "pooh-pooh theory" and "bow-wow theory," which have ever since continued current, influencing the opinions, probably, in some measure, of that part of the community with whom denunciation and ridicule go for more than argument; and also that he seemed to put forward another theory, to which some successful nomenclator (I think, in an English literary paper), normally following up the genesis of the idea with the production of a word by the aid of which it should be properly "handled," immediately applied the title of "ding-dong theory." From the later editions of the "Lectures" we have learned that we were under a misapprehension as to this second point; that the author never intended to propose the theory, but only to quote it, out of respect to the little known German professor who originated and held it; and now we find that he has completed his retraction by going over to the party of the bow-wowers and the pooh-poohers. Roots, he tells us, "represent the nuclei formed in the chaos of interjectional or imitative sounds"; and, yet more explicitly, "interjections and imitations are the only possible materials out of which human language could be formed"! We can hardly say that he has gone fairly and squarely over to those against whom he had before contended, because he still endeavors to establish a distinction between himself and them: they hold

that words come from interjections and imitations, while he holds that words come from roots, and only roots from interjections and imitations. In this, however, I believe that he simply misapprehends their position; they would not in the least object to the interposition of a radical element between imitation and word, and, so far as I know, all accept the doctrine which is as good as forced upon us by the study of linguistic history, — that behind the development of grammatical structure, the formation of words and parts of speech, lies a radical stage for all human speech. They have the right to claim that his former contempt reposed solely on ignorance; that just so soon and so far as he has understood their views, he has made them his own.

The disquisition with which our author winds up his third lecture seems to me not less aside from the true point, and inconclusive, than the arguments by which it is preceded. He reiterates his claim that the roots of language are *the* "true barrier between Man and Beast." He challenges us to show "only one single root in the language of animals, such as *AK*, 'to be sharp or quick.'" He offers to confess that man can have developed from some lower animal, provided we can find him "one animal that can think and say 'two.'" He stigmatizes as fairy stories, and not science, the doctrine "that under favorable circumstances, an unknown kind of monkey may have learned to speak, and thus, through his descendants, have become what he is now, namely, man," — and so on. Let us only read "*a* true barrier" for "*the* true barrier," and not even the most ardent Darwinian will need to dispute a single one of these opinions; he will only ask what they have to do with the real question at issue, namely, whether an increase of the intelligence possessed by some of the lower animals, in the same manner and direction in which that intelligence surpasses that of their inferiors, would not possibly lead up to the vastly superior intelligence of man himself.

I do not see, therefore, that Professor Müller's lectures are likely to influence the opinions of any adherent of the doctrine of evolution, or that his argument is less a failure than that of Schleicher. So far, linguistic science has not been shown to have any bearing on Darwinism, either in the way of support

or of refutation; and we should, in any event, be justified in waiting for a new attempt at proof, before admitting such bearing. But I think we may go further, and claim that a true view of language shows that the two have no connection with each other. Let us see if this cannot be made clear, in a simple and unpretentious way.

Human nature is the sum of certain endowments with which man is gifted above and beyond the lower animals. Among these, linguistic science teaches us that speech in the concrete sense, as a body of signs representing ideas, was not one; just as the history of art and of machines shows that art-products and instruments were not included among them. To human nature belong only the tendencies and capacities which make both possible and necessary the development of speech. This development was a protracted historical process; it was, perhaps, a long time in taking a definite beginning; it was certainly a long time in accomplishing each successive step of progress; and the degree of advance reached has been various, in accordance with the different capacities of the several races of man, as favored or the contrary by all the influences, natural and historical, which promote or retard human progress. Precisely the same has been the case with those other parallel branches of human activity to which I have referred. But every race of men has existed long enough to have its linguistic capacities work out certain definite results; not one is found destitute of a body of signs whereby it communicates its thoughts and carries on its processes of thinking. So, also, with the invention and application of instruments; the possession of arts of design is not probably quite universal among men; that is a department of effort less interwoven with the necessities of human life. Now these historically wrought-out results, in all the three departments alike, constitute a part of the treasure of civilization of each race; they are all handed down from individual to individual, from generation to generation, often even from race to race, by a process of teaching and learning. Special and very restrictedly local, even accidental, defects may cut off individuals from sharing in the advantages of one or another of the departments of civilization; a blow that destroys the sight in childhood renders an

art education impossible; loss or lameness of members may prevent all use of instruments; a fever that dulls permanently the nerves of hearing puts spoken language out of reach, compelling the substitution of another system of aids to thought, less convenient and less elaborated. And mere isolation would have the same effect, depriving the individual of all the advantages which he enjoys as member of a (more or less) cultivated human society, and putting him back into a condition like that of the first generations of men, still possessed of normal human endowments, but deprived of the accumulated results of their exercise, — a condition, however, from which, in virtue of his endowments, he would at once begin to rise again, by the same slow progress by which he has already once risen. If, then, that whereby we excel the brutes is to be dignified by the name of "reason," who can hesitate to apply the term to the capacities rather than to their wrought-out results, to the nature rather than to the institutions?

Among the gifts and tendencies which have led man to the possession of language, one of the least essential is the possession of voice. Least essential, because there are other capacities that could have been turned to the uses of expression, and would have been so turned, with kindred result, if voice had been wanting. And voice has other and more direct uses than that of expressing intellectual conceptions. More important, as underlying all power of expression, of any kind, are our superior mental capacities of memory, of distinct conception, of abstraction, or the contemplation of the qualities of objects apart from the objects themselves, and of reflection, or the more or less conscious and deliberate review of our own mental processes. Of not less consequence (though of a highly concrete character, resolvable into a variety of elements) is the power of adapting means to ends, a power equally shown in the other characteristic departments of human activity with which I have above compared language. This requires to be added, and to be made prominent, because, though the suggestions of speech may have been in good degree instinctive, its effective beginnings were not so, nor has its substance and history been so; it has been an adaptation of means to ends. And the end primarily aimed at, the end without effort at

whose attainment no language would ever have come into being, is communication. Man does not speak in order to express his thought for his own relief or benefit, but in order to put his thought before the apprehension of his fellow-man; all the other uses of speech, lower and higher, come in the train of this; the desire to communicate is the directly impelling force to the production of speech. I will not argue this view here, as I have done so repeatedly before; it is upheld by the whole course of history of human language, and by the analogies of other parallel parts of human development. It is where speech cuts loose from its narrow and inextensible instinctive basis, and becomes, instead of a cry to relieve the speaker's own feelings, an utterance to bring a thought before another, that its unlimited growth becomes possible and that its history begins; here it makes that transition from emotional to rational upon which Müller with good reason lays so much stress.

Although, as has been pointed out above, the faculties which in man produce language are not absolutely wanting in some of the lower animals, their degree is so much inferior to ours that the absence of language anywhere below us is fully and satisfactorily accounted for. The nearest approach made among the animals to a capacity for speech is seen in the by no means contemptible power which many of them possess for understanding what we try to signify to them. Our characteristic is, as Darwin himself truly puts it, our "*large* power of connecting definite sounds with definite ideas," not a wholly exclusive power; for when Müller urges in opposition that nothing "has ever enabled one single animal to connect one single definite idea with one single definite word," I do not see how he can defend himself against the charge of a gross over-statement. The difference of degree is confessedly a very great one; a chasm, not a step, separates us from our nearest inferiors; if there have been, as the evolutionists claim, connecting links, they are lost, and thus far without trace. If they were still in existence, it might be a little embarrassing for us to determine just where our human sympathies might cease; for that sharp line upon which Müller relies with proud confidence, the possession of rational language, or of roots,

would doubtless become blurred along with the rest; there would be degrees of success in making the development out of those emotional cries and imitative sounds of which Müller himself now confesses that human speech is the result. It would be very interesting, however, to the linguist, to study the intermediate and transitional forms; many a point, which he can now solve only by conjecture, would then be cleared up by direct evidence. This advantage he will never enjoy; man is the only independently cultivable and progressive being that exists; no steps between the wholly instinctive expression of the animals and the wholly (so far as articulate words are concerned) conventional expression of man will ever be discovered. The wishes and expectations of those (for there are such) who still look to find a connecting series are founded on a misapprehension, and are futile; their fear to find that nature has made a *saltus* in passing from the one to the other is equally in vain. There is neither *saltus* nor gradual transition in the case: no transition, because the two are essentially different; no *saltus*, because human speech is an historical development out of infinitesimal beginnings, which may have been of less extent even than the instinctive speech of many a brute. If we had the missing links supplied, we should not find the more and more anthropoid beings possessing a larger and larger stock of definite articulations, to which they by instinct attached definite ideas; there are no such elements in human language, present or traceable past; and as we approach man, the detailed instincts leading to definite acts or products diminish rather than increase; we should find those beings showing more and more plainly the essentially human power of adapting means to ends, both by reflection and unconscious action, in communication and expression as in other departments of activity. We might just as reasonably worry ourselves about a *saltus* between the building powers, or the clothes-making powers, of the monkey-tribe and of ourselves. Hovel, cottage, and palace do not grow by insensible gradation out of bees' cells, or birds' nests, or beavers' huts, or any other animal structures; they began when man, a shelterless creature, with no building instincts, felt the discomforting influences of external nature, and saw how, by the appropriate use of materials lying within his reach, they could be avoided.

There is another great error of which those who argue this subject on the Darwinian side are sometimes guilty; namely, the assumption that the development of language has had a part in the evolution of humanity out of a lower form of animal life. I can discover nothing in either linguistic or physical history which at all favors such an assumption. Speech, like the other elements of our civilization, is the result of our human capacities, not their cause; it helps to raise the savage to the rank of civilized man, but not to lift him above humanity; it trains his mental powers to a higher capacity of labor, but adds no new powers; least of all does it produce modifications of physical structure that look toward the founding of new varieties or species. Man was man in *esse* and in *posse*, when the development of speech began; by its aid, though not by that alone, he has been ever ascending to a loftier plane of manhood, and is, we hope, still continuing to ascend, — though with no prospect of ever becoming angelic.

If these things are true, linguistic science has no more to say about the evolution of animal life than of vegetable life, or of geologic structure; and all future attempts like those of Schleicher and of Müller are destined to fail not less signally than theirs. The question of the Darwinian theory belongs in the hands of the biologists; if they can bring the higher animals out of the lower, they will have to be allowed to bring man himself out of the races that stand next below him in the series. And, for my part, I can see no human interests that will be endangered by their success.

It is to be observed, in conclusion, that Mr. Darwin himself shows a remarkable moderation and soundness of judgment in his treatment of the element of language. Though he refers in a foot-note (*Descent of Man*, Part I., ch. ii.) to Schleicher's pamphlet in his support, he does not deign to make the slightest use of it. Very little exception is to be taken by a linguistic scholar to any of his statements. Though no master, such as Müller is, of the facts of many languages, his general view of speech in its anthropological relations, his sense of what it is to man, and how, is far truer than that of the scholar who has attempted by the evidence of language to overthrow his whole theory.

W. D. Whitney.

ART. IV. — *Geschichte der Französischen Literatur seit Ludwig XVI.* 1774. Von JULIAN SCHMIDT. 2 Bände. Zweite, vollständig umgearbeitete, Auflage. Leipzig: Fr. Wilh. Grunow. 1874.

IN choosing the year 1774 as the starting-point for his history of French literature, Mr. Schmidt has not been influenced by any wish to make his book include the arbitrary limits of a century; he has rather selected a date from which it is easiest to trace the growth of the diverse branches of modern, unclassical French literature. It was a period when the influence of the reign of Louis XIV. was to a considerable degree a thing of the past; although reminiscences of the classical drama still held the stage in the tragedies of Voltaire, already Diderot, Rousseau, and indeed Voltaire himself had undermined the artificial courtliness which made the charm of the Augustan age of French literature. Now, these philosophers were all old men; their work had been done, and France was awaiting the ripening of the seed they had sown, — which was the Revolution. Meanwhile, cynicism and immorality were rife; they found their literary expression notably in Chamfort, and Laclos's wonderful *Liaisons dangereuses;* in Bernardin de Saint Pierre, on the other hand, we find a warm love of nature and a religious yearning rare in the general corruption, but insufficient to check the dangerous current. Underneath the sentimentality and the complacent philosophy of the time the preparation for the overthrow of the monarchy was going on, and at last the storm broke. This and the subsequent course of literature this history describes.

How close is the connection between literature and history may be clearly seen in Mr. Schmidt's book. It is one of this author's principles in writing literary history, to avoid the biographical system which gives us a connected life of each man, without throwing sufficient light on his relations to his contemporaries. He says in his Preface: —

"Now it sounds like a paradox, but I hope the time will soon come when it will be considered necessary for every sort of history to be arranged in the same way as political history. In a history of the

Thirty Years' War, every one would find it absurd if it were told in a series of biographies, lives of Ferdinand, Wallenstein, Tilly, Gustavus Adolphus, etc. But that is nowadays the favorite method in literary histories.

"Literature, — that is to say, the appearance and dissemination of written or printed books, — letters, orations, dramatic performances, and whatever means are adopted for the expression of the intellectual life, the thoughts, the feelings, the imagination of a people, are all dependent for existence upon a number of preceding events, each of which is a part of the history of the time. Hence, to show their relation to one another, it is necessary to show how they followed one another."

In carrying out his design Mr. Schmidt has in fact very nearly written a history of France since the accession of Louis XVI. He has everywhere managed to keep the political part subordinate to what is purely literary; and yet, by writing about the history in its relation to literature, he throws new light upon both. The bond between the two is indeed an evident one, for who can miss seeing the connection between certain of Rousseau's writings, *Le Contrat Social*, for instance, and some of the ideas most prominent in the Revolution, and still smouldering in the minds of men? Beaumarchais's "Marriage of Figaro" expresses the dissatisfaction at the state of affairs which afterwards found other means of asserting itself; and the same is true in general. Fully to understand the classical period of French literature, it is necessary to be familiar with the pomp and majesty of the reign of Louis XIV; or, to take an example more familiar to us, in order to comprehend the tone of a great many of their writers during the last twenty years, it is well to know how the government lent its aid to the pleasure-loving extravagance which has fatally fascinated so many of us Americans.

There are possibly some who would at once rule out of court a foreigner who should undertake to write about French literature, and a German would be the first among foreigners to receive their condemnation. With even more zeal would they act in regard to a German who should have rewritten his book on French literature since the last great war. It should be said, however, that this book is not written for the French, but for a people which is more nearly akin to our own in its posi-

tion toward literature than is the French. And while truth is truth, without regard to geographical distinctions, it is still certain that every nation, by taste or precept, adopts certain principles of its own in regard to literature, which are as distinct as individual characteristics in living men. There is no real catholicity in literature, any more than there is absolute equality among human beings. The confusing lack of compactness of the Germans, their way of saying everything, offends the French; what we call the decency of a great part of English literature seems to them to smack of prudery; and it is only by an effort that we can understand many of the appearances of French literature. A foreigner who should write a literary history and content himself with denouncing everything he could not understand, would merely confirm his readers in their prejudices, when he should be giving them reasons for their opinions. He need not praise continually, but he should know why he thinks either one way or the other. If, on the other hand, he should trace the growth of what is strange in another literature, explaining its origin and detailing its history, even if he condemns the principle on which it rests, we are not tempted to give blind credence to his words; we are able to judge for ourselves. And, in our opinion, this is what Mr. Schmidt has done. His point of view is more nearly that of his German and English readers, and yet he sets clearly before us the feelings which inspired the French writers. There will always be a difference of tone between the exposition of an analyst and that of a disciple, but it is well to hear both; and it needs no voice from heaven to tell us which is most likely to make us think for ourselves.

While no history of French literature can wholly supersede that which Sainte-Beuve has written, in his detached *Causeries du Lundi* and *Nouveaux Lundis*, there may yet be much to learn from a foreigner who brings to the consideration of the subject, if not the same easy, gracious style and delicacy of observation, at any rate a commendable felicity of expression, and a standard of judgment which is different from that of the French critic, and possibly one made from the comparison of a greater number of examples; it is at least a standard with which those of his readers are familiar who know our own lit-

erature and that of the Germans. Mr. Schmidt's merits are his coolness, which is not cynicism, great patience, which, at any rate in his French literature, does not become wearisome, and, as the result of both, the ability to form his opinion with due deliberation. If he lacks the swift, delicate touch of the great French critic, he is still by no means an unentertaining guide, and always a sure one, for nowhere does he let himself be carried away to forgetting to apply his usual test, the relation of what he is discussing to the world in which we live. This definition might evidently be used in defence of a very sordid style of criticism; we hope to show that in Schmidt's History of French Literature it has a very different meaning.

While perhaps it is the second volume, with its discussion of Balzac, George Sand, Alfred de Musset, Alexander Dumas, and Victor Hugo, etc., that is of the greater general interest to us who are more familiar with their writings than with those of their predecessors who are the subject of the first volume, it will be found nevertheless that the long chapters on Chateaubriand are of importance for understanding the growth of the Romantic school of France. This writer, with his various qualities, has a great deal of space devoted to him, as he deserves; Mr. Schmidt gives us very copious quotations from his different writings, letting us judge for ourselves the nature of man who so long imposed upon the French people, the man once worshipped by Sainte-Beuve, but afterwards the subject of some of his severest criticisms. If, as is claimed for him, he is to survive as the representative of the thoughts and feelings of this century, it is well for us not to be too confident of the favorable opinion of posterity. But even when Schmidt shows us Chateaubriand's colossal egotism, his frequent inaccuracy, his singular, it might even be called unprecedented, vainglorious boasting, he does justice to the masterly art of that great writer which blinded his contemporaries to his faults, and made him the mouthpiece of much of the disappointment and weariness of the world, which was the repentant awakening from a time of great indifference to anything but easy pleasure. Sainte-Beuve says, and doubtless with great truth, that it is impossible for a foreigner to get the full enjoyment of the beauty of his style; but no one at all conversant with the language can help

noticing, if only in a vague way, its richness and smoothness. In a time like the present, when there is but little patience with empty wailing, when science weeds many overgrown corners of the human mind, Chateaubriand's patchwork of second-hand learning, and his theatrical, self-conscious complaining, are just what can find the fewest defenders. At the time he wrote he expressed what was uppermost in the hearts of his fellow-countrymen, — the desire of glorifying their morbid discontent; this cannot be done without encouraging the growth of vanity, and they, delighted at finding those feelings put in sonorous language, which unadorned by Chateaubriand's genius would have sounded far less sublime, were very ready to forgive his errors. There is no art so grateful to us as that which throws a veil of romantic interest over our faults, but that veil becomes more transparent when the faults it covers are those of our grandfathers.

To what was remarkable in Chateaubriand, as we have said, Mr. Schmidt does justice, and he exposes his faults without rancor. The space he devotes to him is less in compass than that which Sainte-Beuve found necessary, who was continually returning to discuss his old love; but the impression made upon the two critics is to a very great extent the same. For a complete account of this writer, one cannot do better than turn to what Sainte-Beuve has said about him; but no one who takes up Mr. Schmidt's history should overlook his criticism, in his haste to get to those who are now more familiar writers.

Lamartine is treated of at some length. Mr. Schmidt says, speaking of the success of his *Méditations Poétiques* : —

"His personality had a great deal to do with this. He was a handsome young nobleman, of the highest social position, with the stamp of René; that is to say, extremely sceptical in his opinions, and very distrustful of the truth of his own heart, but inclined to throw himself into every new illusion, every new emotion, every new love, every new conviction, with youthful ardor; in short, an interesting, irresistible young man. . . . . For information about him, we are unfortunately obliged to go to his later confessions. Of late years confessions of this sort have become epidemic among the celebrated men and women of France, and it is a source of great regret that they are always deeply tinged with vanity. No one of them

gives the unvarnished truth; every one tries to idealize his life, and to wear a crown of glory; hence the poet in his memoirs represents himself as much worse than in his earlier poems or than in his actual life."

He goes on to give us copious extracts from his writings, and then says: —

"What Lamartine offers us is not wholly new; the thoughts and even the cadence remind us as much of Bernardin de St. Pierre's *Études de la Nature*, as poetry can remind us of prose; there are, besides, traces of Rousseau's *Rêveries*, of *L'Homme de Désir*, and *Corinne*. But the charm lay in the form. The school of Horace and Boileau was completely abandoned; the poetical expression corresponded to the actual sentiment. The verses, tinged with a tender melancholy, flowed melodiously; a succession of agreeable pictures lent animation to the poetry, without giving it any definite form; the rhythmical expression suited the dreaminess of the idea. To be sure, the emotions lacked depth, the ideas genuineness, the images freshness; the reflections were superficial, the imagination had but little play."

In speaking of what should always be present to the mind of one who is criticising a foreign literature, Mr. Schmidt says: —

"When we undertake to compare our own judgment of one of its poets with that of a whole people, we should in the case of a lyrical poet be especially cautious, and should examine whether we do not lose the principal part of what delights his fellow-countrymen. In regard to an epic or dramatic work this is less likely to be the case; an epic poem or a play, which, stripped of its external varnish in a literal translation, has not merit enough of its own to impress us as important, does not belong to the first rank. In lyric poetry, on the other hand, the form and the contents are really one; even in the best translation one can never appreciate a lyric at its just value, and for a foreigner who understands the language, to enjoy the original in the same way as a native, it is necessary that there should be a certain relationship between the languages. There is that connection between the German and the English. I imagine that I can appreciate a poem of Lord Byron, Moore, or Burns as thoroughly as any Englishman or Scotchman, just as Englishmen who know our language can appreciate Goethe's poems. The case is different with the languages derived from the Latin. Any one, with an ear for

such forms, can comprehend clever turns or rhetorical flights; but what is truly poetical, that which works immediately, we are slower to enjoy. The Latin races set a very different value on the sound of words from what we do. For us the word is merely the representative of the meaning, the suggester of the image; the value of what is purely musical we must first interpret for ourselves. Hence, when a Frenchman denies the soundness of our judgment of Lamartine's poems, on the ground that there is something in them which we do not hear, and so cannot appreciate, we are obliged to confess the reasonableness of his objection.

"But we are not obliged on that account to refrain from all judgment of their lyric poetry. There is enough, besides the melody, which we can understand and judge, — the thoughts, the images, the genuineness of the sentiment; moreover, we can compare the different French poets with one another. We can compare the modern French Romanticism with its classical predecessors, we can compare the whole recent academic literature with the poets of the sixteenth century; and we can measure single poets of the school with one another. If these comparisons fail to give absolute value to our judgment, they at least bring us nearer the truth."

Starting with this principle, Mr. Schmidt says: —

"Lamartine had the immense advantage of being the first of his school. Chateaubriand had given himself up entirely to politics; the real Romantic authors had not yet appeared. When to-day we run over the *Méditations*, we can hardly realize the paradox which they seemed to contain at the time of their appearance. Religious sensibility, sensitiveness to nature, to moonlight, and the deep silence of night, a decided inclination to tearfulness, attention to the life of different natural objects, — an oak, the ocean, a swallow, — occasional longing after death, all that has become so hackneyed since then, that we read this without much excitement. But in the year 1820 it seemed paradoxical to Frenchmen, and when the ruling powers accepted the *Méditations* because their political and religious tendency might be of use to them, the younger generation was delighted with them for their novelty and the change from the incessant turmoil of war."

He compares him as a lyric poet with Goethe, and gives Lamartine by no means the high position that is claimed for him. He charges him with lacking "the free and natural heartbeat which moves us so strongly in every poem of the same sort

of Goethe's." He has "smooth, artificial sentences, which exclude all play of the fancy and all real dreaming." "The exaggeration as well as the effeminacy of Lamartine often repel us, but a certain nobility of soul reconciles us again, when we compare him with the other writers of love-songs of the period. When Beyle indulges in fancies about love, he seems very unattractive, and the case is almost worse with Béranger. . . . . The *Méditations* celebrated a sort of love of which the French had previously had no representation, a love which was the medium for what eludes the grasp of the senses."

It is to be said, however, that our interest in Chateaubriand and Lamartine is principally of an historical kind; they are the classics of the Romantic school, and demand full treatment more from the position they have won in their own country than from the interest they now excite in foreigners. It is impossible to have a satisfactory impression of the French literature of the present century without knowing them, but with most of us outside barbarians they have risen to the dusty and well-filled shelves of the respected unread; our tastes lead us to the study of their successors, Victor Hugo, Balzac, George Sand.

Chateaubriand was one of the first to hail Victor Hugo, who led the literary revival of 1820–1830, which, it will be remembered, was so warmly greeted by Goethe, then a very old man, but still attentive to everything going on in the world of letters. Victor Hugo began his literary career as an ardent royalist, and to this enthusiasm he owed in great measure the recognition he won from Chateaubriand, the inventor of the René, whose fame was now to be made even greater by the younger writers. Mr. Schmidt explains the religious and political conservatism of the young Romanticists as follows. He says: —

"The Christian tinsel was a protest against the periwigs, the encyclopædia, and the mathematics. The imagination felt itself fettered in this mesh of abstractions, and the mind was confused in the whirl of contradictory ideas. It was a wonderful masquerade. The Bayaderes, made holy by remembering the goddess of Liberty, found their altar; and the ascetics their cells, which had been a refuge against

the storms of the Revolution. The comfortable *bourgeois* of the school of Voltaire, which limited its religion to the one commandment, — not to do wrong; the pale priest, who, crucifix in hand, had marched out against the wild bands of the *Chouans;* the gray-mustached veteran who had fought at the Pyramids and lost the use of his limbs on the ice-plains of Moscow, and who worshipped only one god, the god of war, and the eagle of his country; the despised Jacobin of the time of the convents, who strolled with his hand-organ from village to village, playing the *Marseillaise;* the curiosity-pedlers who drove bargains over mediæval saints' images, and explained the forgotten coats-of-arms; — all were confused together. What could seem fitter to an imaginative youth than the return to what had stood firm amid the general crash, to what seemed most unlike the detested, mathematico-economical state of society, namely, the splendor of the Catholic Church and the sanctity of anointed royalty? . . . . Christianity had its long history, its striking colors, it stirred all the depths of the soul, and so was much better suited for artistic treatment than the pale, uninteresting view of the world of the 'Theophilanthropists,' who survived as a feeble reminiscence of the attack against Christianity of the eighteenth century. . . . . Lyric poetry began with singing throne and altar, chivalry and Church; then it turned to elfs and nixies, then to poets and unrecognized geniuses, and at last it sank to humanity, to which it promised a glorious future. The muse, who at first adorned her head with lilies, at last put on the red cap."

If Victor Hugo was fickle with regard to the subjects he chose, he has always remained firm in his manner of treatment; however his views may have changed, he has never lost confidence in himself; he has been sure of his own genius. Indeed, it would be hard to put one's finger on a French writer who has let himself be hampered by any desponding doubts as to the value of his work. Whatever their sensitiveness to external things, that quality never seems to extend very far beneath the surface. Their tears are very near their eyes, but within they are hard as stone. So much at least we should be inclined to say of Chateaubriand, Lamartine, and Victor Hugo. The novels of the last named have what is called an enormous success, but it is not easy to get any solid satisfaction from *Han d'Islande*, for example. In that novel the hero, a cannibal, the son of a witch and a monster, begins his career by burning

the monastery in which an attempt had been made to educate him. He swims from Iceland to Norway on the branch of a tree, and gives his attention to the serious business of life, undermining crowded bridges, burning up cathedrals, and, being jealous of some unknown soldier, with a wild justice he determines to eat up the whole regiment; and this is literature!

It would be natural, but wrong, to close with him here. The importance of his plays cannot be overlooked, still less the charm of some of his lyrics. Théophile Gautier, in his recently published *Histoire du Romantisme*, has left to us a charming account of his early enthusiasm for Victor Hugo's *Hernani*, which at its appearance in 1830 so divided the literary world. It is with real humor that he describes his boyish zeal. And it is by no means hard to see how the surprises of the play, the quick dialogue, and the breathless interest that is kept up, can fascinate those who are disposed to enjoy the melodrama. As melodrama no one can find fault with most of Victor Hugo's plays. If we will but confess, not only that they represent something different from every-day life, for so much can be said of every sort of dramatic literature which deserves the name, but also that they represent a sort of life in which our interest is given, not to the nature of the characters, but to the perils which surround them, and that we look upon the *dramatis personæ* as we do at rope-dancers; if we will confess so much, we can justify our interest in them, but we must be careful to discriminate between the intensity of interest and real sympathy. The latter is a *sine qua non* for literary success.

Mr. Schmidt treats of these plays at some length. After *Hernani* and *Marion de Lorme* he says: —

"A number of Renés followed these two: such as Rodolfo, Gennaro Borgia, and Ruy Blas; they have all the same gloomy face, the same bitter twitching of the lips. Whoever is interested in such people would do better to go to the fountain-head, to René or the Giaour; Victor Hugo only gives us variations on the familiar theme, he has never invented a melody of his own.

"The second stock character we have already met in Ruy Gomez: the old baron of feudal times, the type of the Romantic catechism, — loyalty, independence, honor, hospitality, family pride, etc. In the middle of an orgie a folding-door opens, disclosing a tall old man

with a white beard, a huge sword, and, if possible, the Golden Fleece, or some equally lofty order, on his breast. For some time he gazes with imposing silence on the wild doings of the young courtiers, and then says with his deep voice, 'In my time it was far different.' Then he describes his time in a rather long speech, and disappears as solemnly as he entered. For example, the Burgrave Job, the old Marquis de Nangis at the court of Richelieu, Ruy Gomez with the wild companions of King Charles, St. Vallier among the gallants of Francis the First, Ormond among the debauched Cavaliers. Occasionally the abusive old gentleman, or Dottore, as he seems to us, gets himself up as a tyrant; but he still wears a wig. 'I am a terrible man. I can have the life of whomsoever I will, and I know no pity. I belong to the family of the Malipieri, each one of whom takes the life of him he hates. I hate my wife.' Hence I shall have her put to death,' etc. Every time the good old man is deceived, for there is the same monotony in the situations as in the figures.

"The third stock character is the diplomatist of Scribe's school, the machinist. A cold, heartless creature, who holds the secret threads of the intrigue in his hands, and who turns the passions which destroy others to his own selfish interests. His appearance is in the rule as follows. The first lover is about to utter a monologue expressive of his disgust with the world, when some one taps him on the shoulder. He turns; a man stands behind him, wrapped in a dark mantle, with a pale, hard face, with eyes in which nothing can be read, and motionless features. He begins: 'You are so and so, you were born at such a time, in such a place.' Then he gives a full account of the hero's genealogy, tells him and the audience — for the scene is always in the first act — all the particulars of his life, and closes with, 'Now you wish so and so, I will secure it for you' (this is to get an entrance to the boudoir of some reigning duchess, to cut off the head of the prime-minister, to make his mistress a millionnaire, a countess, or something of the sort). 'Are you willing?' 'Of course; but on what terms?' Then follows the answer, according to the mood of the machinist: 'A little key, a hundred thousand scudi, or your head.' To be all-knowing and all-powerful in this fashion, he has to be one of the secret police of Venice (Homodei), or a bandit with a position under Lucrezia Borgia (Gubetta), or a creature of Richelieu's (Laffemas), or very rich (the Jew in *Marïe Tudor*, who only appears to give the history of Fabiani's life, and is then at once stabbed to death), or a very great diplomate (Simon Renard, Salluste), or a simple fool untouched by ordinary passions, and who hence sees what the dazzled hero overlooks (L'Angely).

"The last character is the Cavalier. The taste of the Ceto-Roman books of knight-errantry is unchanged. Ready at any moment to measure swords with a dozen giants or Philistines, or to throw himself in despair at the feet of a cold marquise, or, if long withstood, ready to fall in love with the first pretty face; devoted to women with that sort of gallantry which is nine parts jest and one part love; quick to anger, but prompt to forget it at the first joke; a great many debts, and a long line of ancestors; a peer before the monarch, and a good fellow at a drinking-bout, — such are the qualities of a nobleman as we see them drawn in Froissart, in Calderon, in the memoirs since the time of Louis XIV., and, more recently, in the garrison adventures of Alexander Dumas. . . . .

"Victor Hugo sees his figures, not in any complete way, but in a definite theatrical situation; they depend upon some stage-effect. Lucrezia Borgia has been turned into an opera with only trifling modifications, and almost every one of his tragedies is capable of such treatment. The soliloquies stand for arias, the dialogues for duets, and the machinist would take the main rôle."

Somewhat the same unfavorable criticism he applies to Victor Hugo's lyric poetry, in speaking of his *Orientales;* he praises the grace, accuracy, and novelty of their form, but says: —

"The images, rhythm, and rhyme serve no poetic end, they are themselves an end; the cadence swallows up thoughts and sentiment; we admire the certainty with which the chords are struck, but we hear no melody. The drapery, the silks and satins, the landscape, the color, all bear the stamp of a master-hand, but we see no eyes from which a living soul looks forth."

This is not favorable criticism, and there is in the community a vague feeling, something like that which opposes capital punishment, that criticism to be sound has to be complimentary. It is true that Victor Hugo has won for himself a great name, and his prominence certainly demands for him very careful attention. Mr. Schmidt, however, shows that his qualities are those which are calculated to arouse keen interest, without giving any lofty pleasure. He has acquired fame; but, in comparison with acknowledged masterpieces, do his writings deserve the highest praise, — praise, that is to say, to correspond with his temporary success? That is the question before the

critic, and to which Mr. Schmidt gives an unfavorable answer, — unfavorable, that is, to Victor Hugo, but favorable to the interest of literature. Indeed, he goes even farther, and after charging the poet with representing paradox as of every-day occurrence, and with neglecting the study of life to please our ears and eyes with novel surprises, he says: "This incessant attention to new devices to give stronger coloring to the rôle he is playing, is the reason he has remained in his old age what he was as a youth, a frivolous adventurer in the fields of sentiment, thought, and poetry."

Whatever his faults, Balzac was a man of a different stamp; he never fastened his reader's attention by ingenious tricks; he resorted to the study of human beings, and although he devoted himself principally to the study of disease in unworthy subjects, and often mistook distasteful inventions of his morbid fancy for genuine pathology, he has left behind him work of great power. The faults which are so prominent in his novels are not to be laid entirely to the account of the writer; the taste of the time had been corrupted by false ideals; the air was full of immoralities and provincialisms. Of the last named there is hardly one, unless it is the adoration of Paris rivalling the Mahommedan's feeling towards Mecca, which readers of French novels are more frequently reminded of, than this of which Mr. Schmidt speaks as follows: —

"A superstitious devotion to the nobility, or rather to the life of good society, to the *je ne sais quoi*, which distinguishes every inhabitant of the Faubourg Saint Germain from the rest of the world, is perhaps his weakest side. In spite of its democracy there exists in Paris an impassable barrier between the different classes of society; in spite of their sneers against the ideas of legitimacy, the literary adventurers are constrained in their attitude towards the aristocracy. . . . . Balzac is by no means the only one who errs in this way; almost all the novelists of the time are running over with titles and coats of arms; the manners of the court, the impertinence and frivolity of the young ladies of fashion are put in a poetical light; the liberal-minded private citizen is either a knave or a fool. Pure blood is the principal thing insisted on for horses, dogs, and people; the next thing is elegant gloves. Under all this praise of the aristocracy the *parvenu* is easily detected in the love of luxury and contempt for honest work."

Again: —

"If Balzac fancied that he had thoroughly investigated human nature, his speciality was the analytical representation of French society at the time of the Restoration; of that he considered himself the Buffon. He viewed with a keen and intelligent eye the kingdom of shadows, of feverish joys intermingled with cold calculation. . . . . From the *Scènes de la vie Parisienne* there is a great deal to be learned, but it is a repulsive world into which Balzac introduces us. Vice and crime are the rule. Social life is a riddle the solution of which lies wholly in the bagnio; its locks have to be picked. His favorite figures are young aristocrats, steeped in every refinement of pleasure, who have constructed for themselves a sort of perverted morality, and who commit crimes which, under other circumstances, would bring them to the galleys, not merely for the attainment of an object, but with a sort of dogmatic conviction, out of duty, as Beyle says!"

As our quotations show, Mr. Schmidt has but little mercy for the snobbishness of so many French novels, — that quality which imposes upon so many of their readers, — and he is equally clear-sighted with regard to Balzac's perverted moral sense, which is so patent and so painful, as well as for the psychological impossibilities of some of the novels. In general they may be said to be simply records of sinfulness; even the most innocent are tainted by a foul flavor, as if the one or two single volumes of comparative innocence had been infected by those that stood on the same shelf which dealt with the blackest sides of human nature. The record against Balzac for this fault could be made as long as it would be odious. So wonderful, however, is his power of analyzing people, of setting them and their surroundings before us, of exposing their motives, of interesting us in their devious course, of making us share in their villanies, and almost sympathize with the most atrocious criminals, that we cannot help acknowledging his wonderful power, even if, on laying down one of his novels, we feel as if we had spent our life hitherto in picking pockets, robbing the dead, and burning churches. He gives his readers a great satiety of wickedness. One who has read many of his novels feels afterwards as if at that time of his life he had been one of a band of outlaws.

Mr. Schmidt does not content himself with exposing some

of the more obvious flaws in Balzac's work; he discusses many of his novels in turn, and writes a great deal of sound and serious criticism about him. He does justice to his power, but he always speaks with coolness about his use of it. We regret we have not space for further quotations. We cannot do more than refer the reader to Vol. II. pp. 450 – 458, where there is to be found a careful examination of this French novelist. Scattered references may be found elsewhere. They show very well the critic's habit of mind, and his method of discussing authors. What is most especially to be noticed is his certainty of touch, so to speak. We feel that we have to do with a man who is never startled by sudden blushes of shame at foolish enthusiasms. He is not fascinated by external charms to forgetfulness of solider merits; he always remembers to put the questions, What is the real value of this? In the first place, does it represent life? and, secondly, does the representation serve to please, even with sadness, or to pain the reader? The exciting of repulsion is to be avoided in literature as much as in painting. It is easy for readers to content themselves with getting any feeling except fatigue from a book, and certainly talent is required to arouse a sort of disgust which shall not be wearisome; but it is as important to discriminate between that feeling and healthy enjoyment as it would be to avoid putting Boucicault above Shakespeare, because his plays are more applauded by theatre-going audiences. Mr. Schmidt never forgets to do this. It is a quality which makes a usually safe guide through the devious paths of modern French literature; if he were one who contented himself with noisy abuse, he would overshoot his mark and only do himself and his readers harm; but he always, or very nearly always, discriminates between what is deserving of blame and what of praise. He does not earn his name for impartiality by unexpected and surprising abuse; he is very able to say a good word even for writers he dislikes, when they happen to deserve it. Most students of later French literature have to learn to adapt themselves to much which — owing, let us say, to provincial prejudice — is extremely painful. The application of just the same tests as they use for their own literature would lead to condemning the foreign one

in toto. Indeed, this is the course of a great many intelligent people; they will have nothing to do with it. Those, however, who go on in it wilfully harden themselves to a great deal, and the danger is that they lose the power, or rather let it lie inactive, of deciding where they shall draw the line between prudery and proper reserve. Some speak of these books as freely as if they were light clouds vanishing in the summer sky, instead of very possible agents of mischief with thoughtless persons. The evil tendency is ignored with the same good-nature with which one forgives occasional misprints. A companion and adviser like Mr. Schmidt does not denounce them all; he shows where their merits lie, and how much their faults are due to mistaken views of men and life; he supplies the necessary tonic; he remedies the indifference about mere matters of morality which is apt to grow upon readers fascinated by charms of style and character-drawing.

What underlies the whole of modern French fictitious literature is the feeling, but ill expressed by the phrase, "art for art's sake," that whatever exists in human beings is a proper subject for the pen. In how narrow a way this maxim is followed may be seen by the exclusiveness with which, almost without exception, the odious sides of human nature are chosen for description and discussion. Everything must have the flavor of forbidden fruit, and this it is which makes the narrowness and provincialism of French literature as truly marked and more frequent than even the pastoral simplicity of the ideal English novel at which Frenchmen are forever laughing. Even those who are bold enough to deny that its influence is injurious, must confess that it is one-sided in what it represents; no external cleverness should make us forget this fundamental fault.

Perhaps the readers of Mr. Schmidt's History would object more to his treatment of Alfred de Musset than to any other part of his book. When we recall Taine's comparison between him and Tennyson, and the praise given him by the French critic, we are able to see why it is he is so popular with his fellow-countrymen. He had when he began the charm of youth, grace, and elegance of form. He has sung what he chose to sing with an easy airiness which could not fail to

please. Then, too, the story of his life, his early age when he began to write his best poetry, his melancholy struggle after false ideals, and his abject failure which he tells in sad lines, all combine to make us pity the man and set great store by what was good in his work, because it was so very good. It had the stamp of genuineness, in spite of the occasional sham Spanish and Italian setting. With all his tropes and straining of voice, Victor Hugo never could hide the hardness within. But with all his faults, Alfred de Musset was a poet, even if a mistaken and deluded man; in his youth his freshness fascinated his readers, — it was with great joyousness he entered life, — and during his struggle with the world and its snares, he followed what was the ideal of his race and generation. No one ever sang so sweetly the apples of Sodom, and when they turned to dust in his mouth, his pathos half hides his cynicism. Very touching are the much-quoted lines he wrote while still a young man, which, even if familiar to our readers, will bear rereading: —

"J'ai perdu ma force et ma vie,
Et mes amis et ma gaîté;
J'ai perdu jusqu'à la fierté
Qui faisait croire à mon génie.

"Quand j'ai connu la vérité,
J'ai cru que c'était une amie;
Quand je l'ai comprise et sentie,
J'en étais déjà dégoûté.

Et pourtant elle est immortelle,
Et ceux qui se sont passés d'elle
Ici-bas ont tout ignoré.
Dieu parle, il faut qu'on lui réponde.
— Le seul bien qui me reste au monde
Est d'avoir quelquefois pleuré."

These lines should be read in the light of his other writings; they have a very different sound from much that he wrote. Mr. Schmidt, however, is not led by the beauty of his verse to overlook the many faults of the poet. He says, and with truth, of Alfred de Musset's earliest work, that while the conflict between passion, which is the most concentrated expression of an individual nature, and law, which represents the interests of the community, may lead to a tragic catastrophe,

this poet celebrates not passion, but crime. For this statement he brings copious examples. Such writing, he says, can only be, not justified, but explained, by its being a mirror of real life.

"In general," he goes on, "one is inclined to ascribe whatever is great and fine in an author to his nature, and whatever is bad to the influences of his time. Our time, however, is not an abstract idea, but it expresses the sum of our principles, habits, inclinations, wishes, and ideals, which, according as they are sound or corrupt, open a hopeful or a despairing view of the future."

He denies that the poet in these odious scenes properly describes the actual life of his day, and says they did not spring from the air, but that they arose from a struggle after what should rack the feelings and be true to nature. Hence the continual struggle after impressiveness which so often offends good taste. With the beauty of his poetry one often forgets, he says, the distastefulness of the subject; it is with breathless interest one reads some of his prose plays and novels. He quotes for especial commendation *Les Caprices de Marianne*, and we decidedly approve of his choice. Those who have been so fortunate as to have seen this play acted will certainly never forget it. Of his stories Mr. Schmidt says: —

"In his choice of subjects Alfred de Musset reminds one often of Mérimée, who had a great influence over him; to make the distinction clear one should read the novel of Mérimée's, *La double Méprise*, which had just appeared; it is a story of adultery of the most repulsive sort with regard to the subject, but treated so delicately, that although it cannot be called decent, for everything is expressed, it may be said to be moral. It shows the way in which in Parisian society a noble nature conducts itself after committing a grievous fault. . . . . The difference between the two is this: Mérimée remains master of himself when describing wild scenes, Alfred de Musset loses his head and becomes wild himself."

In his criticisms of these stories of Alfred de Musset, as well as of many other pieces of French literature, Mr. Schmidt often does no more than tell the story in the simplest manner, stripping it of the smooth form which so often benumbs the reader's critical sense, but showing us what is the real value of

what might have had a good chance of winning our admiration. He remembers, too, that it is one of the first duties of a critic to illustrate and prove what he has to say, as well as to make interesting statements. We can see his mood, either of admiration or of contempt, in the way in which he makes the abstract, and often again he lets that suffice ; he shows us the fundamental weakness, and then passes on to something else. An excellent example of this is his treatment of Lamartine's incredible *La chute d'un ange*, Vol. II. pp. 511–13.

From the examples we have given, the reader may be able to form a tolerably definite notion of some of Mr. Schmidt's merits as a critic. It will be seen that it is not with a thoroughly sympathizing spirit that he writes about French literature ; that he rather tends to depreciate the value of form in a work, in comparison with qualities more easily defined, and possibly of greater importance. His position, however, is not one of hostility, although very often one of disapproval ; there is no unwillingness to admire to be detected in what he says, indeed he is often no severer than the smoothest tongued French critics. He sees, what they see, that before the Revolution of 1830 there was a revival in French literature which promised more than has subsequently been performed. The young generation produced work which was surprisingly good, when one considers the age of the writers ; in Mérimée's case no one would have suspected him of being hardly more than a boy, and that was perhaps true of some of the others. Victor Hugo, the leader, was but twenty-eight years old, and there is no cause for wonder that Goethe watched the efforts of these youths with the greatest interest. But what has come of it all ? Victor Hugo is still before the public, claiming that he is the great genius of the day, and writing such novels as his last, *Quatre-vingt-treize*, which saddens the hearts of men. Gautier, who died a year or two ago, has left interesting work behind him. The little that Mérimée did will always find admirers, although it is highly probable that the *Lettres à une Inconnue* are what he will be best remembered by. The movement as a whole failed, and Mr. Schmidt naturally is anxious to find out the grounds of this failure. Foreigners who treat of French literature are very often extremely ten-

der in what they say about it; it seems to be a matter of personal pride not to be too harsh with it. An appreciation of its merits is often taken to be something like speaking their language with a good accent,—a mark of high culture. It involves a lofty sense of morality, so lofty indeed that ordinary distinctions are of no account; the intrigues of the vicious are looked at as coldly as we look at gold-fish swimming about in a globe; we have to watch a villain plotting and carrying out his crimes with the same approval with which we follow an heroic struggle, if not with complete indifference. Sometimes we hear that the grandmotherly feeling of propriety which we mistake for morality is treated with all the respect it deserves, when, at the conclusion of the book, some harsh fate seizes the leading villain. But if the whole story has been inculcating wrong-doing as something desirable in itself, though occasionally liable to bring the guilty one to harm, no shocking catastrophe at the end can undo the mischievous effect, any more than a death on the scaffold can beautify the past life of a criminal.

A noticeable book of this sort is Gustave Flaubert's *Madame Bovary*, which is often brought forward as the one odious book with a salutary lesson in it. Taine thus speaks of it in his *Vie et Opinions de M. Grain d' Orge*, and many other writers re-echo his verdict. Those who are led thereby to read it, however, find it hard to have due patience with its disagreeable, unflinching delineation of an offensive subject. We find, to be sure, that sin brings its punishment, and on that account a pardon is sought for the book; but morality is not a matter of the last chapter, it depends upon the whole construction of the book, the delineation of the characters, the way they are connected with one another, etc. If the part of wickedness wins our applause or sympathy in the body of the book, the last twenty pages, no matter how tragic, will not be able to undo the evil that has been done; if we have been sneering at virtue for two volumes and a half, our tardy respect at the end cannot count for much.

It is claimed that the writer is justified in ignoring no side of human nature; that he has the same duty to investigate impartially as the man of science; this may be true, but he

should also exercise the same reserve. When scientific men have to do with matters which are tabooed by the unanimous consent of society, they are careful not to thrust them forward out of their proper place. We do not have a description of the processes of digestion printed on our bills of fare. But of French novelists, the man who can invent something new in the time-worn subjects of crime at once makes his mark. This is not as it should be; let him study any subject he pleases, but let him not smuggle the report of his investigations into every careless hand, corrupting under the pretence of amusing.

It is also said that we should be satisfied with the admirable way in which the work is so often done, that the merit of the workmanship makes up for the worthlessness of the subject. But no ability of an author to describe, can make us indifferent to the subject of the description. Beauty and accuracy of color cannot hide a picture, and so it is with books. The authors pretend to write on all sorts of subjects with impartiality; to describe for the sake of describing, as if emotion were a quality which could be ignored at will, as if it were not a great part of every work of art, which could not be left out without belittling the whole work. The artist who undertakes to work without it is mutilated just so far as he comes near succeeding, and no skill in his craft can make up for its absence. This beauty of form, of which we hear so much, means, it is fair to suppose, this technical skill. But of what use is the manipulation of the brush, if we cannot get any pictures; or the beauty of form in writing, if it is devoted to offending us? This quality which is here denounced is the one most frequently brought up in defence against harsh criticism of modern French literature; but so long as readers are fair representatives of the human race, and as such still care for the principles, feelings, and duties that make up human life, there must be some discontent at the shadowy appreciation of books which looks no further than at the outside.

That in which the French do excel us outsiders is a quality which certainly stands for a great deal; it is the gift of easy, delicate expression. They flatter their readers by a graciousness which we all naturally prefer to any amount of honest bluntness. Sinful man would always rather hear a compli-

ment he knew to be false, than be told painful truths without tact; and it is tact which so many French writers have. They know how to please; they leave things unsaid; they impose upon us by their neat epigram, just as a man who is well dressed shines above the man who has to hide a tear in his coat by keeping his arm always in one position. For the time there is a great difference between them. It is a ridiculously trifling matter, and one who is not self-conscious does not know it, but others feel it. The French writers are fully conscious of this, and hence there arises probably that contempt for rugged virtues which is to be observed in other nations than France, that pride themselves more on intellectual cleverness than humdrum morality, as if the one were something old-fashioned and exploded, and the other the fruit of a higher civilization. Not that we would charge the French with never recognizing nor using the truth, but it may be said that their most attractive quality is one that exercises a much greater influence than it should, and this it does both upon them and upon us. How demoralizing this is and may be we all know; and in the way of instruction about this, as we have said, Mr. Schmidt's book can be of great service. We can hardly say, however, that it gives enough credit to the quality of French literature we have just alluded to, which, while used unworthily, may be the cloak for great faults, it is true, but also is of great service when used in other ways. It is an advantage like a good voice to an orator, or a fine instrument for a musician. There is nothing, however well worth saying, but is the better for being well said. This grace is as good a weapon in righteous hands as it is dangerous when used by those who defend the wrong. To take a most noticeable instance of how valuable it can be, there is Sainte-Beuve, who, with all his politeness, often made himself felt painfully. It is in general a quality which needs no pointing out; it strikes at once and fascinates for a time every reader of French, and it is against its dangers that Mr. Schmidt is most eloquent; we cannot help thinking, however, that he might also have indicated its merits more clearly.

Mr. Schmidt's History only comes down as far as the beginning of the Second Empire; and hence much of the later

degradation does not fairly come within its compass. He has treated some recent authors in detached papers with a great deal of ability. His History, however, gives a complete account of what has been done by authors of every sort from the time immediately following that of the great writers of the last century to almost the last manifestations of literature in France. The brief extracts we have given indicate very insufficiently the thoroughness with which he has performed this severe task. All praise is due, also, to his impartiality. We can warmly recommend the book to all readers of German.

T. S. Perry.

Art. V. — The Currency Debate of 1873–74.

In his speech at the bar of the House of Lords on the impeachment of Warren Hastings, Sheridan, to the great delight of the historian who was himself among the audience, took occasion to refer to the "luminous page of Gibbon." The adjective was certainly not inappropriate; but when the brilliant orator was shortly after called to account for using it, the temptation proved too great for the wit, and he is said to have defended himself by insisting that he did not say "luminous," but "voluminous." The page of Gibbon is undeniably voluminous, but in it at least are garnered up the ripe fruits of twenty years of constant thought and conscientious labor spent in recounting the story of human civilization through fifteen eventful centuries.

During the autumn of 1873 the United States was visited by one of those financial storms, incident to the modern high-pressure system of conducting business, and which are common to all civilized countries and to every monetary system. Shortly after the fury of the tempest had subsided the national Congress met, and took the subject into consideration. Through nearly five mortal months the process of incubation was protracted, finally resulting in a measure which in due time was reproduced by the press of foreign lands as a legislative curi-

osity, and which was promptly vetoed by the President. The mouse, it was true, was a very ridiculous mouse; and, indeed, never struggled into a real existence; but the amount of groaning on the part of the mountain which preceded its still-born genesis was truly portentous. It covered about seventeen hundred columns of the Congressional Record, containing upon a close computation considerably more printed matter than the entire work of the voluminous Gibbon; a mass of reading sufficient, indeed, to fill about seventeen numbers of this Review, and equal to the twelve volumes of the works of Edmund Burke. Such are the proportions of a modern Congressional debate. Yet Methuselah and his contemporaries have long since passed away! This is America, in the nineteenth century, and the years allotted to the reviewer no longer approach unto a thousand, but barely to a poor threescore and ten. And yet, in but a portion of one brief session, the national Sanhedrim dumps upon him between three and four thousand octavo pages on a single topic. In view of such an infliction, Gibbon is no longer the "voluminous," nor can the perusal of his work be regarded otherwise than in the light of a holiday's reading.

The financial debate of the first session of the Forty-third Congress may be said to have begun on December 1, 1873, — the day upon which that body assembled. History will probably show that both session and debate ended, as they began, together. Meanwhile on the 1st of December, almost as soon as the Senate was called to order, two resolves relating to the financial condition of the country were introduced, respectively by Messrs. Morrill of Maine, and Ferry of Michigan, and were laid upon the table: that of Mr. Morrill looked to a speedy resumption of specie payments; that of Mr. Ferry to an increase of the existing volume of irredeemable and depreciated paper-money. Other measures speedily followed, emanating from different senators and expressive of their views; generally emphasized by a speech of greater or less length. All this was, however, but the dropping fire of the skirmish lines; the forces were not yet in battle array; the tug of war was to come. At length, upon the 11th of December, Mr. Sherman of Ohio, as chairman of the Committee on Finance, introduced

into the Senate certain resolutions, in the form of instructions to the committee of which he was the head, calculated to draw forth from the Senate some expression of opinion as to the nature of the measure finally to be submitted to it. Immediately two other members of the committee, Mr. Ferry of Michigan and Mr. Bayard of Delaware, submitted other and substitute propositions, and upon these the debate began its interminable progress. The whole proceeding was, it would seem, unparliamentary in the last degree, and calculated to consume the utmost possible amount of time, with the least possible result. The committee, instead of doing its preliminary work in the committee-room, and submitting on behalf of the majority and the minority of its members concrete and well-digested measures to be considered, debated, attacked, defended, and passed or rejected, and there an end, abdicated its functions and called upon the Senate to go into a loose and aimless discussion of abstract principles. As would naturally have been anticipated, that body thereupon proceeded to resolve itself into a national debating club, and its members began to relieve their minds at the rate of about ten columns of printed matter per diem.

Meanwhile the committees of the House of Representatives were busy in their several rooms, while the Saturdays, given up to speech-making *de omnibus rebus et ceteris aliis*, afforded a safety-valve to the more eager and surcharged members. On these occasions, Mr. Kelley of Pennsylvania more particularly held forth week after week in reference to his own pet panacea, warranted to solve every difficulty, and to at once provide the country with a perfect currency and abundant money.

The months of December, of January, and nearly half of February wore away in this harmless discussion. It was rapidly losing all interest, when, in the Senate, Mr. Sherman infused new life into it by introducing another feeler for instructions in regard to a bill regulating the distribution of bank currency. The debate upon this measure assumed a somewhat sectional character, which lent a certain interest to it; but it, too, was rapidly languishing away when it was broken in upon by the death of Mr. Sumner. At last, when the days of mourning were over, both houses settled themselves down to their work. Into each bills were introduced by the proper commit-

tees, and the two bodies devoted themselves to their consideration. In the House a bill increasing the authorized volume of legal-tender notes from $356,000,000 to $400,000,000 was reported by the Committee on Ways and Means, and was passed on the 23d of March by a vote of 168 to 77; every amendment proposed to it having been rejected by decisive majorities. Another bill providing for the increase and distribution of bank currency, under what is known as a system of Free Banking, was proposed by Mr. Maynard of Tennessee, from the Committee on Banks and Banking, and, after a long and sharp debate, was passed on the 14th of April by a vote of 129 to 116.

Meanwhile, on the 24th of March, Mr. Sherman in the Senate had called up for final action a carefully prepared measure, which had previously been reported by him on behalf of the Finance Committee. Upon this the final debate was begun and continued until the 9th of April. In the course of it the bill was changed through the process of amendment, or, in parliamentary phraseology, "perfected," until its whole original character was "perfected" out of it; when it was finally passed, by a vote of 29 to 24, and sent to the House for concurrence. As originally reported this measure was a timid effort at compromise, going to the extreme limit of concession. It conceded the $26,000,000 of cancelled notes illegally issued by Mr. Richardson, and made them a part of the permanent circulation; it did not touch the great question of resumption, but fixed the 1st of January, 1876, as a date after which United States notes might, on the demand of any holder, be converted into five-per-cent bonds; it made provision for an increase of the national banks, but provided that seventy per cent of the amount of additional bank currency issued should be retired in United States notes; finally, it contained a futile clause looking to the increase of the stock of gold in the country by compelling the banks to hoard one quarter part of the interest they received on their United States bonds pledged in the Treasury as security for their circulation. It is not here proposed to criticise this measure; but, mild as it was, it by no means met the views of the "moderate expansionists," and in the course of debate was stigmatized by one of their number

as being "nothing but a contraction scheme any way." As finally "perfected," it was certainly nothing but an inflation scheme "any way"; though, unfortunately, after its passage, it was discovered that it would not inflate. As passed, it simply provided for the permanent reissue of the $44,000,000 of United States notes withdrawn from circulation and cancelled by Mr. McCulloch, and for an increase of $46,000,000 of the national bank currency. Round numbers have always a fascination for theorists; and the "moderate expansionists" now agreed to fix the needs of the country at $800,000,000 of paper-money, leaving the yet rounder and more fascinating sum of $1,000,000,000 as an argument in some future debate. This bill was taken up as soon as possible after it reached the House, and, after a short debate, was passed on the 16th of April; all amendments were voted down, and the final majority for the bill was 38, there being 140 yeas to 102 nays. It then went to the President for his signature. By him it was held under advisement until the 22d, when it was returned to the Senate with a veto message. Upon the 28th that body proceeded to the consideration of the veto, and, after a very singular running debate lasting through several hours, in which nothing whatever was said of the veto and a great deal about Mr. Sumner's displacement some years before from the chairmanship of the Committee on Foreign Relations, a final vote was reached, and the abortive measure which, poor as it was, represented the result of four months' consideration, failed to pass. Sixty-four members of the Senate were present and voting; 43 votes were required to make up the requisite two thirds; 34 voted in the affirmative and 30 in the negative, so that the passage of the bill would have required a change of nine votes from the minority to the majority.

That a measure looking to a direct inflation of an irredeemable and depreciated legal-tender paper-money by further issues of similar paper-money, to be forced into circulation in a time of profound peace and abundant material prosperity, should, after months of the fullest discussion, in the United States of America, and in the year 1874, be prevented from becoming a law only by the interposition of the executive veto, is sufficiently extraordinary. It admits of neither excuse nor

palliation. It is and must remain a lasting stigma upon the honesty and good faith of the American people, both casting and authorizing the gravest doubts on their much-vaunted capacity for self-government. No amount of rhetoric or sophistry or blustering can in the slightest degree alter or extenuate the fact. It is now matter of history. It cannot be obliterated; it will not be forgotten. A free, self-governing people, continually boasting of their liberty, their wealth, their superior intelligence, and the inexhaustible resources of that country of which they are so proud, — this people, not stricken by plague, pestilence, or famine, unvexed by any war, in the midst of plenty, decided, in the full light of the nineteenth century, and after months of deliberation, to do that which no monarch or despot has for more than two centuries done in any land, except when compelled thereto by the sternest of duress, — they decided wantonly and arbitrarily to tamper with and debase the national standard of values.

And yet there are certain circumstances in connection with this proceeding which should not be forgotten. Under the most favorable conditions, the honesty, intelligence, and virtue of a country so prosperous as America has, in the struggle of political life, a heavy load to carry. The delights of Capua do not incite to eternal vigilance; and, as a rule, with nations no more than with individuals are fortunate times pure times. At present, it so happens that a more than usually heavy load is imposed upon the better political elements of this country. We are now beginning to taste the bitter after-fruits of the late Civil War. As the necessary and inevitable result of that struggle, we destroyed, or irretrievably shattered, the whole industrial and political organization of at least nine States of the Union. From Virginia, all along the Atlantic and the Gulf of Mexico to Louisiana, and north to Arkansas, the States emerged from the war in a condition of exhaustion, from which they passed into one of chaos. Meanwhile the national government thought to create, through some patent legislative enactments, a living political organization to replace that which had been destroyed. The broken pieces were gathered together, strung upon wires, and cemented with Congressional glue; and so we "reconstructed" the South. The

work, when completed, made up a ragged and incongruous whole, in which it was hard to say whether, in the expressive political nomenclature of the day, the Northern "carpet-bagger," the Southern "scallawag," or the enfranchised African shone as the more conspicuous and least creditable element. But completed the work was; and the Southern States at last staggered to their feet, and stood, galvanized into life, like the creation of another Frankenstein,—a ghastly satire on the republican form of government. Unlike Frankenstein, who fled in horror from the hideous result of his labors, Congress looked upon the erring but reconstructed sisters, and they seemed good in its eyes; so straightway the living organizations of the loyal North were wedded to the galvanized corpses of the rebellious South,—to Alabama, to Louisiana, to Arkansas, to South Carolina. For years to come they must remain a dead weight, which the honesty, vigor, and life of the country has got to carry. They had to carry it in the financial debate, and it turned the scale against them. And why should the South be blamed? The political combination of barbarism and corruption which our reconstruction measures placed in assured control of those States has reduced them already to utter bankruptcy and inevitable repudiation. Why should the intelligent elements of the South, embittered by a sense of outrage and crushed under negro legislation, care to maintain those standards of value which represent only ruin to themselves? Must they not, on the contrary, feel a sweet sense of elation in the thought that they may yet drag us down into the pit we dug for them? Throughout the financial debate they were a unit, and they made our scale kick the beam. Outside of the reconstructed States, Messrs. Bayard and Salisbury of Delaware, and Hamilton of Maryland, well represented the best type of Southern public men of the past. From those States there were a few men, like Townsend of Virginia, and Lamar of Mississippi, who represented the better political elements; but it is greatly to be feared that it will be long before the great law of the survivorship of the strongest so far asserts itself as to materially enlarge their numbers. Meanwhile, on the decisive vote in the present debate, the six New England States were more than counterbalanced

by the nine Gulf and cotton States, excluding Texas. The latter were an affirmative unit; the former, with the exception of Mr. Sprague of Rhode Island, were a negative unit. Had the issue been left to the representatives of those States, the systems of which had not been disorganized by war, — the healthy, intelligent, solvent communities of the Union, — the result would not have been for a moment in doubt. In passing through a somewhat similar crisis fifty years ago, Great Britain occupied a wholly different position. With the exception of Ireland, the influence of which part of the empire was comparatively small, she contained within her system no foreign element of inherent weakness. Her position then was much more as that of New England now. The intelligence and honesty of Great Britain were not handicapped with dead weights of bankruptcy and barbarism of their own creation. As compared with ours, their task was an easy one.

In passing through the crisis of 1815–20, Great Britain, also, enjoyed the incalculable advantage of a decisive, vigorous lead on the part of those responsible for the government. It was Mr. Peel, afterwards Sir Robert, who from the Treasury benches, and with the whole strength of the government behind him, brought in and carried through the specie-resumption act of 1817. The friends of a sound financial policy had something to rally on, — a standard to follow. Parliament was not a mob of noisy talkers, from whose combined unwisdom those upon whom responsibility rested tried to extract instructions as to a policy. Throughout the recent financial debate, however, no lead or indication of a lead was afforded to Congress by the administration. The message of the President at the commencement of the session was vague and uncertain in tone, and in its loose expressions in regard to specie payments, the balance of trade, and the sufficiency of the currency, indicated rather an utter failure to grasp the elementary principles of the question at issue, than any intention to pursue a definite line of action in regard to it. Had he earlier, and through the proper official channels, caused the views contained in his veto message, or, yet more, those of his subsequent "Memorandum" of June 4, to be understood as the views of the government, the whole course of events would have been other than it was.

Not improbably, however, the opinions of the message were imbibed from one source, and those of the "memorandum" from another. At the earlier period, the Boutwell-Richardson *régime* still directed the Treasury, and the message as plainly partook of its pale, colorless influence, as did the later documents of the strong, sanguine views of Senator Jones of Nevada, through whom the unofficial manifesto was finally made public. However this may be, and whatever unexplained causes may have induced the startling change between the official utterances of December and the individual manifesto of May, one thing is indisputable, the veto message was a surprise to every one, and during the whole course of the debate which preceded it the executive views were unknown, and its influence unfelt; the most important question of the day was not a party question. The government had no policy. Its friends — those who in Congress were looked to as the especial exponents of its views — were divided in opinion. In the Senate Chamber Messrs. Conkling and Chandler found themselves sharply arrayed against Messrs. Morton and Cameron; while in the House of Representatives, General Butler, the actual administration leader, was upon one side, and Mr. Dawes, its official mouth-piece, was on the other. It is unnecessary to say that such a course of action was wholly inconsistent with the traditions of the government, and incompatible with its successful operation. It is very well for the administration to have no policy to maintain in opposition to, and defiance of, the legally expressed will of the country. That is the principle at the base of all parliamentary government. No party can, however, without becoming contemptible, remain in control of the government and yet abdicate responsibility. It is very well to increase to the utmost the number of open questions; it is far from desirable that the executive should make its influence felt on all the petty issues of the day. But, in the present case, it may safely be asserted that the worst features of that confusion on the currency question in which the public mind is now involved are due to the uncertain and changing tone of the administration, and to the utter disregard of those usages which custom has established to regulate the intercourse between it and the legislative department. "Memo-

randa" should be communicated to heads of departments at the commencement of a session, not to casual visitors at its close. Through four months of debate, valueless except for its crystallizing effect on public opinion, the head of the government jealously reserved his opinions, only to make them public when they produced, amid the murky darkness which had settled down upon Congress and the country, rather the effect of a thunderbolt than a beacon. What would have been the fate of our finances in the early days of the Republic had Washington first expressed his policy in a veto, and had Mr. Richardson occupied the chair of Hamilton!

As a consequence of this absence of lead, the debate throughout its course indicated the utter breaking up of party lines. Both in discussion and when it came to the votes, the old organizations were fairly reft in twain; the two wings of each coalesced with the similar wings of the opposing organization on an entirely new division. So much was this the case, that in each house a majority of the Republicans and a majority of the Democrats found themselves united against the two minorities of the same parties, acting together in perfect sympathy.

It is not proposed in the present paper to enter into any general review of the debate, or of the several speeches made on one side or the other in the course of it. Of these there were more than one hundred and twenty-five; in which number is included only the set speeches. Many of them were characterized by very decided ability; and, indeed, the record bristled with salient points and episodes of interest. Three efforts only, however, attracted any great degree of public notice, or marked turning-points in the discussion. These three were the speeches of Mr. Schurz on February 25th, and of Mr. Jones of Nevada, on April 1st, in the Senate; and that of Mr. Mitchell of Wisconsin, on March 27th, in the House. Throughout, the attitude of Mr. Schurz was, probably, more creditable to himself individually than that of any other man. Outside of all party lines, near the close of his senatorial term, coming from a Western State, in which he was believed in the detestable Congressional jargon to "antagonize" public opinion on the question at issue, he yet unhesitatingly flung himself into the struggle, in obedience to his convictions, and boldly risked his political

future on a faith in his principles. He triumphantly bore the brunt of the debate in the Senate, and his collisions with the inflationist leaders were not infrequently so sharp as to infringe on the limits of parliamentary courtesy. He represented, on his side, the student, the theorist, the accomplished parliamentary debater; ready, witty, armed at all points, he was never found wanting, was never despondent, and his record will even bear comparison with that of Canning in the English debate on the Bullion Report. Mr. Jones of Nevada made but two brief speeches, the first of which, however, stamped him at once as a debater of very decided power. It was marked throughout by a practical, incisive tone which stands out in agreeable relief against the droning monotony of the general discussion. Ready, vigorous, formidable in retort, he went to the gist of the subject as did no one else. There was a certain epigrammatic bluntness in the way in which he almost blurted out the ugly truths at issue which was most refreshing; and the vigor and directness of thrust with which he unhorsed Mr. Morton, when that gentleman more than once undertook to meddle with him, must have given his unfortunate adversary a most realizing sense of the expediency of greater caution in the future. If any inference may be drawn from the maiden efforts of Mr. Jones, the Senate has secured in him a veritable acquisition during the remainder of his official term.

Mr. Mitchell's speech in the House was of the best class which ever comes from the purely business man in public life. It was, apparently, a written essay, and formed no part of legitimate debate, as did the effort of Mr. Jones. It was, however, clear, unpretentious, direct, — the utterance of a practical man, who was not only familiar with the details of business, but who had done what so few of that class ever do, studied its theory and detected its formulas. Of the other speeches on the same side of the question it is not proposed to say anything. They are already forever buried in the columns of the Record.

Upon the side of the inflationists Messrs. Morton, Ferry, and Logan were most conspicuous in the Senate, and Messrs. Kelley and Butler in the House. The efforts of none of these gentlemen were, in themselves, worthy of any particular no-

tice. Mr. Morton, of Indiana, was the real leader on his side of the question. A vigorous, ready, and formidable debater, his position throughout this discussion was one of peculiar difficulty. He was oppressed by the utterances of other days. One after another, his opponents — first Sherman, then Schurz, then Thurman — appealed to what Disraeli has called "the irrevocable pages of Hansard," and brought him face to face with his diametrically opposite opinions so freely and fully expressed but a few short months before. So frequently and elaborately was this process gone through with, — with such a cruel gusto and enjoyment on the part of his tormentors, that he must quite have grown to enjoy it himself at last. At least it seemed to occasion him no embarrassment. He never tried to explain away the discrepancy; contenting himself always with the same old standard repartees, that "only dead men and idiots never changed"; or that he was glad at last to recognize the sources from which his opponents drew their arguments, and to see them masquerading in his cast-off clothes. Mr. Morton's record in this debate certainly does not commend him. He is said to be an aspirant for presidential honors. If such is the case it is safe to predict disappointment in store for him in that respect. No man with such a voluminous and varied record could hope to run the terrible gauntlet which hedges the way to the White House. Mr. Morton has the misfortune of combining to a degree quite inconsistent with success the attributes of a copious debater with those of a political weathercock.

Of Messrs. Ferry and Logan little need be said. The first is a fair specimen of the active and practical business man, half educated, and long accustomed to dealing with the outside of things, but now attempting the *rôle* of the financial statesman. In his view a complete collapse of credit is a mere currency derangement; a system radically unsound may at any moment be made sound by amending its by-laws. A courteous political tinker, with a sublime confidence in the efficacy of legislation, he contributed little to the discussion beyond much earnestness, a profuse display of rhetoric, and a great deal of rather thin sophistry. Mr. Logan developed in great perfection all the characteristics of the *vox et prœterea ni-*

hil statesman. Talking more than any one else, he opened his share in this debate with a deliciously *naïf* claim for consideration on the ground that he had formed his opinions only after devoting his whole leisure time "during the past two weeks, when not engaged in the Senate," to the most patient study of the science of finance, including researches into all the leading authorities! Unfortunately, however, to the very end, he evinced a lamentable incapacity to grasp the distinction between accumulated wealth and a medium of exchange. In his mouth wealth was money, and so was currency; currency, therefore, was wealth. He accordingly always enjoyed the great advantage over his adversaries of answering their arguments at great length, and to his own perfect satisfaction, without in the remotest degree understanding them. He further contributed to the debate several very marked displays of extremely bad temper and worse manners, and a few dismal efforts at humor. During its last stages, however, this man either put himself forward or was put forward as the recognized parliamentary leader of a majority of the Senate of the United States.

In the House of Representatives Mr. Kelley, of Pennsylvania, was the most prominent talker on either side, and is deserving of a moment's consideration. Referring to himself endearingly in the course of the debate as "Old Pig-Iron," Mr. Kelley is an earnest and thoroughgoing protectionist of the Philadelphia school, and as such regards Mr. Henry C. Carey as "the most profound and philosophic student of social science the world has yet produced." As well as one can judge, a very honest man, his self-appreciation is something inconceivable, and, on paper and at a distance, most amusing. Of very limited capacity, irritable, and often arrogant in debate, absolutely sure in his own conclusions and never tracing any result beyond a proximate and apparent cause, delighting as the protectionist must in the *post hoc ergo propter hoc* argument, there is yet more individuality about him — more of which to compose a study of amusing foibles for a character in a novel, a sort of Rt. Hon. Nicholas Rigby — than in almost any other man on the floor of Congress, excepting perhaps General Butler. There is something humor-

ously simple in his lofty estimates of himself and his friends, which he does not hesitate openly to avow, but which he also allows to crop out on all sorts of unexpected occasions. Of this description was his reply to Mr. Beck of Kentucky, who had made some allusion to him in debate which called forth a warm rejoinder; when Mr. Kelley had finished, Mr. Beck politely inquired if he had got through. "Yes," rejoined the leonine Kelley, "unless you arouse me again." On another occasion, after upsetting and casting to the winds with scorn the whole long list of financial and economical authorities of other lands, he fortified himself by a reference to "Henry C. Carey, John A. Thompson of Summit Point, West Virginia, and Charles Sears of Navasink, New Jersey, three as original and profound thinkers as God ever blessed our country with."

Mr. Kelley would hardly deserve so long a notice in this paper, were it not for the singular fact that he was, throughout the discussion, the recognized exponent and the most earnest advocate of what has been adverted to as the single novel financial expedient suggested in it, — the 3.65 per cent interconvertible bond scheme.* The suggestion of novelty may or may not be warranted; but, certainly, with this exception, there was not in the whole course of the wellnigh interminable debate a single idea which had not often before been proposed, discussed, and put in practice, in other times and other lands; there was not a sophistry which had not over and over again been refuted and exposed in treatise and debate; there was not a reply which could not be found in almost the same words, *mutatis mutandis*, in the records of many languages. To the student in financial discussion this monotony of repetition in the full confidence of original thought is wearisome to a degree. John Locke and John Law, Vansittart and Canning, Ricardo and Bosanquet, have left scant gleanings behind them; though its members know it not, the art of financiering so as "to make one into two" is so far exhausted as to make it very difficult for Congress to give to its discussion the interest of novelty. None the less, if the 3.65 convertible-bond scheme, though not very profound,

* See Sumner's "History of American Currency," p. 326.

has indeed the merit of novelty, it and its leading exponent are upon that score alone deserving of some consideration. Not that Mr. Kelley, or even Mr. Henry C. Carey, or those other "original and profound thinkers," Jones of Summit Point, and Sears of Navasink, can severally or collectively assert a copyright to this financial invention. On the contrary, that distinction is disputed with all the world by no less a person than General B. F. Butler of Massachusetts. That distinguished financial authority plumes himself especially on the parentage of this plan, for on the 27th of March he said: "I believe that in 1869 I was the first to propose in an elaborate speech in this House the 3.65 bonds"; and again, on April 6, 1874, he declared that he had "elaborated" that scheme "with more care and with more thought than I ever bestowed upon any proposition, whether of law, finance, or politics."

A financial "novelty" painfully "elaborated" by the Essex statesman, — whilom "the grim soldier of New Orleans," — indorsed by "the most profound student of social science the world has yet produced," as well as by an array of "the most original thinkers God has ever blessed our country with," — such a measure, championed by "Old Pig-Iron" himself, could not but prove a quarry tempting even to a reviewer of what Mr. Logan would describe as "a depreciated intellect." But some consideration is due to a long-suffering community. Three thousand pages of solid financial discussion in one half-year is sufficient to stay the appetite of the veriest cormorant. Enough is proverbially as good as a feast, and it is not now proposed to supplement so plentiful a repast. And indeed the space allotted to this article can better be devoted to the one truly salient feature in the Congressional debate, — its innumerable crudities, absurdities, and sophistries. With these it was most plentifully larded. Indeed, a well-culled selection of these gems of American forensic discussion would make a volume which would be interesting now and curious forever. That such vile sophistries should during the latter half of the nineteenth century be clothed in yet viler rhetoric and uttered in any deliberative body outside of a debating club in a lunatic asylum ought to constitute matter for special wonder to ourselves, and doubtless will to all future generations.

It will be necessary to begin at the beginning and follow the thread of the debate. The cause of the crisis and consequent panic of 1873 would seem to have been obvious enough. For twelve years the country had been steadily running in debt,— borrowing on almost any terms, of whoever was willing to lend. The rate of interest to be paid was hardly matter for discussion; and when the interest on such loans as were effected came due, more loans were negotiated with which to pay it. It seemed confidently to be believed that this process need never stop. It became a mania with States, with cities, with towns, with corporations, and with individuals. Especially was it the case with railroads. Statistics incontrovertibly showed that investments in this class of property averaged an annual return of barely six per cent; yet loans were freely negotiated at ten, at fifteen, at twenty per cent, and bonds and stock on gayly printed paper were poured out in reckless profusion. It is noteworthy that not a single speaker in the whole debate attempted to deal exhaustively with this subject. Many touched upon it; not one laboriously collected the statistics and exhibited to the country the hard, cruel figures in which its folly should stand confessed. Estimates, more or less careful, of the amount of the indebtedness thus incurred were given by three speakers,— Messrs. Fenton of the Senate, and Townsend and Comingo of the House. In each case they were carelessly made and amounted to little more than guesses; but they sustained each other. By Mr. Fenton our indebtedness was placed at $12,000,000,000, upon which an annual interest account of $720,000,000 had to be met. Mr. Townsend estimated the total at $10,000,000,000, and the interest at $600,000,000; and Mr. Comingo reached a similar result. If a business man effects a loan, and then borrows money to meet the interest upon it; and then borrows again to pay interest on interest, beside increasing the loan, his affairs generally after a time culminate in a crisis; that is, when he gets to a point where he can borrow no more, he collapses. It was to just that point that the business system of the United States arrived in the summer of 1873. To the matter-of-fact observer this all seemed simple enough; the Congressional mind despises "theory," but is not "matter-of-fact."

Thackeray, somewhere in his writings, criticises severely the well-worn adage that "money is the root of all evil," and emphatically declares that in his experience it was not in *money*, but in *the want of money* that the difficulty lay. This view of the case strongly commended itself to the average Congressional mind, and was stated in many forms with much point and earnestness. For instance, Mr. Logan thus explained the matter, adducing the case of Jay Cooke & Co., and at the same time administering one of his inimitably happy and humorous slaps at two of his opponents: —

"A large portion — yes, a very large portion — of the railroad bonds thrown into the market, to carry on the larger railroad schemes of this country, has been taken in Europe. And why taken in Europe? Because there they have money and we have not. . . . .

"Let us take one example: the Northern Pacific Railroad scheme claimed to be wholly on a gold basis, as I understand. . . . . We all know the sequel. Was this one of the sins of the greenbacks? I am rather inclined to believe it was for the lack of greenbacks, and not on account of their being in excess of the business wants of the country. No, sir; it was want of faith in the enterprise on which the bonds were predicated which caused them not to be taken in sufficient amounts to carry the enterprise through, and Jay Cooke not being enabled to procure the money, when the money was not in the country to be procured, that caused the explosion of the scheme. But perhaps I have not looked far enough into the Senator's (Mr. Schurz) model authorities, "Marco Polo" and "Amasa Walker," to see the connection between the cause and effect." — *Record*, No. 79, March 21, 1874.

To the same effect, Mr. Hunter of Indiana, also referring to the Jay Cooke problem: —

"It was then for want of money, and not on account of too much of it, to meet his obligations, that he failed. . . . . The injury in every instance can be traced to the want of money, and not to a superabundance of it." — *Record*, No. 86, March 29, 1874.

In the Senate, Mr. Bogy of Missouri became poetic over this chronic difficulty: —

"The Senate and the country may see and understand how and why it is that, however hard our farmers and planters may work and toil, however genial and fruitful the season may have been, however

plentiful and refreshing the rains may have fallen on the fruitful soil of the West and of the South, prosperity for the want of money was, and is to-day, an impossibility." — *Record*, No. 16, January 6, 1874.

And finally, Mr. Whitehead, of Virginia, recurred to the same obvious truth: —

"Sir, there seems to be a great deal of difficulty here as to what caused the panic, and gentlemen persist in saying that it was too much paper-money. Well, I do not pretend to controvert their sources of information; but one thing I say, that we were perfectly satisfied in my section of the country that what caused the panic was a scarcity of money." — *Record*, No. 95, April 19, 1874.

The government had issued tickets of value by which buyers and sellers effected exchanges; according to the expressed views of half of the members of Congress, furnaces, mills, and shops, crowded with orders, doing a perfectly satisfactory business, with large profits, were suddenly obliged to suspend operations for the want of these tickets of value with which to effect exchanges. Such a proposition seems incredible, yet this is what Mr. Cameron, the senior Senator, a life-long banker, had to say upon it: —

"I believe that the moment you do anything here which restores confidence to the people, you will have the manufactories started again. Confidence is the one thing that they need. They want currency when they get into operation. The cry was constantly — I know it myself from my intimate acquaintance with the large manufacturers and the small manufacturers too — that every one of them needed more currency than they had. They had capital, but could not get that which enabled them to pay off their hands. . . . . The manufacturers of the country need a currency which will enable them to pay their weekly and daily debts." — *Record*, No. 93, April 7, 1874.

Considering his antecedents, by the way, the *rôle* played by Mr. Cameron throughout this debate was an exceedingly offensive one. He appeared as the "hoary, white-haired father," the "good old man," of the Senate, the venerable political Turveydrop, in fact, scattering about unctuous flowers of rhetorical cant, which, considering the detestable political morality of the man, are odorous in the extreme. Here are some specimens: —

"Then again, the Senator said, what I do not believe is true, that

it costs something to be honest. My teaching has always been that honesty is the best policy. In my judgment, it is always profitable to be honest. The man who only looks for pecuniary profit is a fool, because he always suffers. Just and honest acts of individuals, and wise and just acts of legislators, always produce benefits, not only for those for whom they legislate, but for themselves. The man in this Senate who will protect the laborer and the producer will always receive honor and profit. He will derive no loss from that." — *Record*, No. 93, April 7, 1874.

"I think he (Mr. Howe) believes, as I do, that there is a great deal of good left in the country, and a great deal of good left in mankind. Indeed, I believe, taking them generally, men are good. The exception is a bad man in a crowd. And, therefore, I am always hopeful. I do not believe this country is going to be destroyed by any legislation we shall enact here. There is too much good sense in this body to vote for anything that would at all tend to the destruction of the country. Every man here wants to do right." — *Record*, No. 93, April 7, 1874.

But to return to the great theory of a credit collapse because of an insufficient supply of tickets of exchange. Example after example of this singular hallucination might be cited. Senators and members vied with each other in declaring that, "owing to the remarkable scarcity of the article," the business men of the country had to stop, because they could not "get the currency to pay their hands." The idea of an excess of irredeemable money was "absurd"; such phrases as "dearth," "famine," "grinding contraction," "criminal contraction," were inadequate to express the dire pangs of those a-hungering for "more paper-money." It would be useless to multiply quotations to this effect; especially as this diagnosis of the disorder was not satisfactory to all the authorities. Mr. Boutwell, of Massachusetts, for instance, as was befitting an ex-Secretary of the Treasury and the inventor of "the greenback-reserve" panacea, took a closer view of the question, and declined to concur in the heresy which sought for the root of all evil in the dire impecuniosity of the time. He looked for it elsewhere; and at last his search was grandly rewarded by discovering it in the deposit of out-of-town balances during the summer-vacation period in the banks of Wall Street; then he delivered himself as follows: —

"I attribute the panic to the inflation of the currency locally; and when you speak of the inflation of the currency, whether it be a paper currency or a metallic currency, it is always local. . . . . During the last season there was no inflation of the currency of this country appertaining to the whole country, but there was inflation of the currency limited to the city of New York. . . . .

"The processes by which the currency of the city of New York was inflated are generally well understood. The statistics show that the deposits of the banks of the city of New York, including the national banks and the banks established under the laws of the State, were increased $50,000,000 between the month of April and the month of September. . . . . The presence of this vast sum of money in New York, accumulated by unnatural processes, brought upon that city, and then upon the whole country secondarily, the evils which we are now called upon to consider." — *Record*, No. 36, January 29, 1874.

Mr. Boutwell is a financial light. This discovery of the cause of the crisis of 1873 deserves to rank with his other discovery, made while Secretary of the Treasury in 1870, that the permitting foreigners to do our ocean carrying-trade was "a direct drain upon the resources of the country of just so much money, and equal to casting it into the sea, so far as the nation is concerned." Nor is it behind this startling economic proposition, which all future theorists on the science of wealth had best take note of as the ripe conclusion of a "practical observer": —

"The wealth of London is so great, that if her four million people were to suspend labor, and the income of the investments which have been made were to continue unimpaired and to be equally distributed for the support of the inhabitants, they, and the generations that are to follow them, could live on idleness and in comfort. This is the wealth of which I speak, — the accumulated wealth of generations." — *Record*, No. 37, January 29, 1874.

Leaving Mr. Boutwell, however, let us pass from the cause of the crisis to its obvious remedy. As "want of money" was by the large majority settled upon as the root of all evil, it plainly followed that its removal lay in the creation of more money; or, as Mr. Morton, of Indiana, beautifully expressed it: "The people want a little more currency. They believe it will be good for them, and I believe it. I believe it will

revive business all over this nation. I believe that business will spring up under the influence of a promise like that, just as the grass and the flowers will grow under the spring showers." While the same high authority had already announced in language equally happy that "vague declamation about the beauties of resumption is like the notes of the mocking-bird, which please only by their delusions."

As government held a monopoly in the printing of currency business, it at once became not only its right, but a duty, and indeed one of its necessary functions, to supply that "little more" which the people wanted. The following are a few fair specimens of the absurdities and atrocities uttered on this subject: —

"The truth is, the Constitution does not make anything money, either gold or silver or anything else; but leaves this question with the legislative department of the government, imposing no restraint or limitations upon its discretion, and assuming that it would be governed by the general principles of expediency and common-sense. Now, in view of these antecedents and principles, I feel compelled to regard the powers of Congress over the money of the Republic absolutely sovereign, complete, indivisible, and unrestrained. . . . : It remained for the Congress of the United States, representing the most intelligent and the most highly civilized people of the world, to coin 'the credit of the nation,' and it has thus wisely provided a lawful money for the people, an instrument of exchange more perfect than that of any other nation. In our progress and development a great stride was taken in monetary science when the Legal-Tender Act of 1862 was approved by the President of the United States, and now to perfect our fiscal system is the task which Congress must undertake and accomplish."— Mr. Field, of Michigan. *Record*, No. 21, January 11, 1874.

"I lay it down as an undeniable proposition that one of the highest duties of a government is to make money cheap to the people, for upon the labor of the people it is dependent for its greatness and prosperity." — Mr. Wilson, of Indiana. *Record*, No. 90, April 3, 1874.

"A financial system, to be independent and free from the control of aggregated capital at the money centres of the country, must be based upon the cardinal doctrine that it is the duty and exclusive prerogative of the government to determine both the quality and the quantity of the currency which may be in circulation." — Mr. Wolfe, of Indiana. *Record*, No. 66, March 6, 1874.

"All that it is necessary for a government to do to create money is to stamp upon what it would change into money 'its image and superscription,' and declare it to be money." — MR. BERRY, OF OHIO. *Record*, No. 39, February 1, 1874.

"I think money in this country is made by an act of Congress. I think that is money which is declared by law to be money, a measure of value, a standard of exchange, a medium by which debts are extinguished by law. An act of Congress declares what is money; it stamps the money quality, the representative value, upon a bit of gold or silver just as it does upon paper. There is no difference in that respect.

"The stamp of the United States upon gold or silver gives it the character of money and fixes its value as money. Without that, sir, it is simply an article of merchandise, — bullion; a thing of the market, a commodity for bargain and sale simply, but not money. Paper which bears the stamp of the United States upon it as money is money. Its value is fixed by law. It bears the highest impress of value, — the faith of the nation. It is the only paper-money ever issued in this country that bore an honest front. It is not a child of monopoly." — MR. HOLMAN, OF INDIANA. *Record*, No. 95, April 9, 1874.

"The gentleman says that promises to pay a gold dollar are floating about, and bringing us to shame because we are not prepared to redeem them and keep the promise. I would like to see one of those promises to redeem a greenback with gold. They embody no such promise. They promise to pay a dollar; and a dollar is what the sovereign power has declared shall be a dollar." — MR. KELLEY, OF PENNSYLVANIA. *Record*, No. 7, December 10, 1873.

"Mr. Speaker, in this debate we have heard it many times stated that our greenbacks are depreciated, and that they are below par. The gentleman from Connecticut [Mr. Hawley] stated the other day that greenbacks were twelve per cent below par. Now I wish to controvert and deny such statements; for they are not true. I admit that gold bears a premium and fluctuates with the price of foreign exchange in the market; but I deny that greenbacks are below par, for the simple reason that they are the lawful money of the country, and therefore must be at par. If it be true that greenbacks to-day are twelve per cent below par, then, on the same theory, when gold coin was at fifty per cent premium, our greenbacks were fifty per cent below par; when gold was one hundred per cent premium these greenbacks were worth nothing, — a dollar of lawful money would not buy even a wooden nutmeg. According to this mode of estimating the value of greenbacks, when gold was one hundred and fifty

per cent premium, the poor man, having ten dollars of good greenbacks in his pocket, would have to pay five dollars to have them taken off his hands." — Mr. Field, of Michigan. *Record*, No. 99, April 14, 1874.

Such being the function and abstract duty of government, the propriety of exercising it did not lack argument. Naturally, while spending in every form of investment several thousand millions of borrowed wealth, and until the day of settlement came, the country had enjoyed a great appearance of prosperity, — its material development had been wholly unprecedented. This afforded a noble opportunity for the *post hoc ergo propter hoc* argument. The whole of the prosperity was due, not at all to the application of borrowed wealth, but to the use of paper-money; as well might a drunken man ascribe his drunkenness to the cup, and not to the wine! Half a volume could be filled with examples of this fallacy, all couched in that vile rhodomontade which the Congressman mistakes for eloquence; but let these three suffice: —

"There are inconveniences attending our irredeemable currency and resulting from the fluctuations in the price of gold. No one denies it. But how trifling have they been for the last ten years when compared with the vast benefits, the growth and development, which have sprung from that currency! And how trivial and contemptible will they be for years to come, when compared to the hardships and grinding oppression to result from forced resumption!" — Senator Morton, of Indiana. *Record*, No. 81, March 24, 1874.

"No one more ardently desires a return to specie payments than I do. But I cannot shut my eyes to two facts: the impossibility of resumption, except by a contraction which would bring disaster upon the country; and that other great fact which it is impossible to ignore, that under an irredeemable paper currency, varying from seven hundred to seven hundred and fifty millions, the country has attained a prosperity, not fictitious but real, greater by far than at any period of our history. Argue and refine as gentlemen may, here is a stubborn fact which confounds all their theories." — Senator Pratt, of Indiana. *Record*, No. 52, February 17, 1874.

"We adopted a new system of currency about ten years since. If it was too large for us, if the notes it authorized were irredeemable in gold or silver, if it was inconsistent with that of other countries and at war with the most beautiful theories of our proudest writers

and orators, it has allowed us to expand the villages of Chicago and of St. Louis into mighty cities, and to earn one half as much wealth in ten years as England has earned since it was invaded by Julius Cæsar some two thousand years ago." — Mr. Clark, of New Jersey. *Record*, No. 87, March 31, 1874.

Of course, as the development was wholly due to our own happy invention of a paper currency, no thanks whatever were due to those lenders of capital, — those "credit-mongers" and "gold-mongers," as Mr. Kelley delighted to call them, — who had intruded themselves into our Paradise: that unfortunate class — who were then philosophizing over the loss in the panic of several hundreds of millions of dollars — did indeed come in for some rare flowers of rhetoric. The following, for example, do not lack energy; beginning with Mr. Beck of Kentucky, the Democratic leader in the House: —

"Why, I ask, should Congress specially seek to encourage the business of the money-changers? These men produce nothing, add nothing to wealth; they toil not, neither do they spin. They live on the necessities or misfortunes of productive labor. They are the drones in the hive of industry. It might not be polite to say that they are the buzzards who batten and fatten on the corruptions of the body politic. Moses, by divine authority, prohibited their business, and Christ drove them from the Temple because under them it became a den of thieves." — *Record*, No. 95, April 9, 1874.

"Why is it that representatives forget the interests of their own section and stand up here as the advocates of the gold-brokers and money-lenders and sharks, the same class of men whose tables Christ turned over, and whom he lashed out of the Temple at Jerusalem?" — Senator Logan, of Illinois. *Record*, No. 79, March 21, 1874.

And in the following we have a kindly reference to Mr. McCulloch, late Secretary of Treasury, before Mr. Boutwell and Mr. Richardson redeemed the languishing financial reputation of the country: —

"We have doubled the indebtedness of the tax-payers of the country by agreeing to pay the five-twenty bonds in gold, when they were contracted to be paid in greenbacks; but that does not satisfy the insatiate greed, the voracious appetite, of the Shylocks and sharks, the bankers and brokers, the money-mongers and gold-worshippers of the country.

"No, sir, these lineal descendants and next of kin to the sordid

and mercenary crew whom the Saviour of the world when on earth whipped and scourged from the Temple at Jerusalem, must add to the intolerable burden of debt of the people, by bringing the price of everything down to the standard of gold, and contracting the currency for the purpose of accomplishing that sublimest of all follies in the present condition of the country, — resumption of specie payments.

"Mr. Speaker, the contracting policy of the government, inaugurated in the interest of capital and money, by the Secretary of the Treasury, whose grovelling instincts I trust now are being fully developed and satisfied amidst the gold and bullion of Threadneedle Street, is unparalleled in the history of modern times, for its wanton disregard of the rights of the tax-payers of the country, and for its inexcusable contempt for the lessons of experience." — MR. BUCKNER, OF MISSOURI. *Record*, No. 87, March 31, 1874.

It required, however, all the logic and energies of Mr. B. F. Butler of Massachusetts to go to the root of the "credit-monger and gold-monger" evil. That gentleman has long, it is said, been in the habit of declaring that he "never knew what comfort was till he got rid of his last vestige of character"; the full benefit of this conclusion from ripe personal experience he now proposed to impart to the country. Oblivious of the fact that men and nations of poor credit have always to submit to the largest sacrifices, his road to absolute financial happiness lay through a perfect disregard of our obligations. He thus, not for the first time, developed this other financial "novelty": —

"One word further upon the question of credit in Europe. I have heard many times before, as we have just heard, 'Now, if you do anything to relieve the people we shall injure our credit in Europe'; and I want to say here that we have had too much credit in Europe for our bonds. We have them there to such an amount that we are sending $125,000,000 of gold yearly to pay interest on our bonds sold to buy and import luxuries, and the quicker Europe stops taking our bonds, the better I shall be satisfied. I have no hesitation or doubt upon this matter; yet I have always been told, whenever I said a word about bringing the currency of this country into a condition for the use and prosperity of the country, thus bringing down the rate of interest from which national banks make dividends of 10 and 15 per cent annually and lay by 20 per cent surplus, — I have always been answered, 'You will hurt our credit abroad.' Sir, we carried on this

great war of ours without any credit abroad, and during all that time we had to bear our own burdens and provide our currency in our own way. We then passed an act by which our credit was raised abroad, and thereby our bonds, which we had to that time carried ourselves, were sold in Europe, at from 30 to 60 cents on the dollar, and because of our raised credit we have had to buy them back, under our absurd idea of reducing the public debt, at 100 and 112 cents on the dollar. I do not desire to see this process of depletion of our wealth going on any longer, and I am not anxious what the bankers of Europe think about our credit. The quicker they stop loaning us money the happier we shall be. If they send what they are now sending over to us, the strong arms and willing hearts of the emigrant labor of their country, then we shall be able to work out our own salvation, not in fear and trembling." — *Record*, No. 11, December 16, 1873.

Naturally, so obnoxious a class as the lenders of capital were to be suppressed as the common enemies of mankind. Neither was their suppression a difficult task. They levied their unholy gains through the loaning of money: now money was in demand simply because money was scarce; in this country currency indisputably was money; if, therefore, the United States printed an abundance of currency, then money would no longer be scarce, and consequently the occupation of the money-lender would be gone. Thence followed the cardinal idea of "cheap money," with which the whole debate resounded: —

"Cheap money is the one thing needful for the agricultural and productive interests of this country; and let the debt-burdened West and the debt-burdened South heed it. Cheap interest is what we want. If you will show me a country that pays, as we do in the South, from 15 to 26 per cent per annum for its currency, I will show you a country where prosperity is dead or dying, and every industrial interest prostrate. High interest is high evidence of low prosperity. It is at the same time the evidence and the cause of the destruction of the prosperity of any community. . . . . But, Mr. President, we are told that as a means of relief we must diversify our labor. No man is more impressed with the importance and the necessity of diversity of labor than I am. . . . . Give us the means, give us a sufficiency of circulation to make interest cheap, and we will diversify our labor. Give us the means, and we will seize upon all the advantages which nature has given us. . . . . Give us the means. This is what we ask of Congress. Give us a financial system which shall secure to us

money at rates which rule in England and France." — Senator Gordon, of Georgia. *Record*, No. 32, January 24, 1874.

"I have taken the ground that the expansion of the currency — not the inflation, as some Senators have endeavored to characterize it, but an expansion equal to the expansion of business — would in its effect reduce the rate of interest; that in proportion to the adequacy of currency the rate of interest would be reduced; and the very reason why there is such opposition to the proposition to make the currency convertible into 3.65 bonds is because that would be construed into a national declaration that the rate of interest should rule lower." — Senator Ferry, of Michigan. *Record*, No. 48, February 12, 1874.

"Mr. President, there is no more sense in a scarcity of money than there is in a scarcity of food. As an abundance of food strengthens the body and gives it action and energy, so an abundance of money stimulates business and industry, and promotes the growth and the prosperity of the nation. O, but, we hear it said, you will increase speculation! Well, sir, I am not very much frightened at that. Speculation is the great stimulus of growth and prosperity after all. Some kinds of speculation are not profitable; speculation in stocks is not; but speculation is the great stimulus of growth and prosperity. . . . . Plenty of money — not an excess of it, but plenty of money — makes business active and prosperous, and promotes the growth and development of a nation." — Senator Morton, of Indiana. *Record*, No. 49, February 13, 1874.

"The question, after all, is, whether we have enough. How shall we determine it? The law of supply and demand determines it to a great extent. The rate of interest testifies in the case. Is it possible that the quantity of the currency is sufficient to make the necessary exchanges of the country, when the holders of the currency demand and receive 12 to 18 per cent interest for it? Shall not this medium of exchange be measured by the same laws which govern all other commodities as to the quantity on the market? If we have abundance, why are the producers and manufacturers compelled to pay such rates of interest?" — Mr. Bundy, of Ohio. *Record*, No. 34, January 27, 1874.

And after Mr. Bundy had thus distinguished himself, Mr. Kelley rose for the purpose of "elucidating" certain points, and referred to what has been quoted, as follows: —

"So grateful am I to him [Mr. Bundy] for the expression of the true foundations and limitations of currency, and of the true laws of

finance, that I could not speak at this time if my words were to imply dissent from his premises or argument."

Naturally, however, with this vital function imposed on government, of seeing that money was plenty and interest "cheap," it became all good legislators to see to it also that no abuse crept in through their own unwisdom. There were almost no "inflationists" in Congress; they were all "hard-money" men, — all excepting Messrs. Kelley of Pennsylvania, and Butler of Massachusetts. Those two profound thinkers had long since spurned from under their feet all belief in the barbarism of specie, and, soaring aloft on greenback wings into a financial empyrean all their own, were wrapt in seraphic contemplation of the ineffable excellence of a system of 3.65 per cent interconvertible bonds. Their brother legislators were, however, — in their own eyes at least, — hard-headed, practical men, contending with visionary theorists. Messrs. Morton and Ferry and Logan and Merriman all resented the term "inflationist," when applied to them, with equal vehemence; in no sense, they declared, were they "inflationists," — they were "moderate expansionists."

"That this augmented issue would to some extent impair the profits of a certain class, I have no doubt; but this class is not the producing one. It consists of money-lenders and capitalists in favor of high interest. That this amount of money would enable the West to engage in new enterprises is to my mind as clear as any rule in arithmetic. To allow to this people a sufficient amount of currency, — although it may be an augmentation of the present volume, — is not inflation. I understand inflation to be an amount beyond the businesss wants of the country; but within the limits required by the needs of trade and commerce, it is not inflation." — Senator Bogy, of Missouri. *Record*, No. 65, March 5, 1874.

"The people of this country have some sense. They want enough money, but do not want any more. They want enough to do the business of the country; but because they want enough to do that, they are told they will get drunk, they will become gluttons, they will want $2,000,000,000! The very argument is an impeachment of the intelligence of Congress and of the people of the United States. They know that population has increased; they know that the country has been developed; they know that business has been vastly increased, and that more currency is demanded; and because they ask

an increase just adequate to this increase of demand, we are met with the cry of 'inflation,' 'irredeemable paper,' 'the country is to be ruined,' and somebody is to be scared!" — SENATOR MORTON, OF INDIANA. *Record*, No. 89, April 2, 1874.

"Gentlemen here, who are in favor of a return to specie payments, use the word 'inflation' as applicable to gentlemen who are in favor of a moderate increase of the currency. I do not understand that to be inflation by any means. You cannot inflate the currency until the currency is up to the standard of necessity, and then an increase would be inflation. It is a question whether the currency is up to that standard, and not a question of inflation; and the word 'inflation' as it is used here, seems to be a very improper one. If I understand it, and if Worcester and Webster understood it, it means 'to puff up,' 'fill up,' and 'swell out.' Gentlemen may be inflated sometimes, but the currency is not by any means." — SENATOR LOGAN, OF ILLINOIS. *Record*, No. 32, January 24, 1874.

When it came, however, to the question of what a "moderate expansion" was, a considerable diversity of opinion manifested itself. Some said fifty millions, others five hundred millions; and yet others inclined to an annual settlement, with a volume of currency to be fixed, as the first act of each session, in the wisdom of Congress: —

"MR. FERRY, of Michigan. Mr. President, I have nothing to conceal on this question. The proposition of the Senator from North Carolina would bring up the volume of the currency, together with the $44,000,000 reserve, to about what I thought might be the right point, and it would seem I have the support of the Senate to affirm my judgment. The $44,000,000 would, with the $46,000,000, make the total volume of circulation $800,000,000. The $44,000,000 reserve ought to be made a part of the permanent circulation, and not be left to issue and withdrawal at pleasure. I answer the Senator, therefore, that after having $46,000,000 national-bank notes and the $44,000,000 reserve, we should be disposed to rest." — *Record*, No. 77, March 19, 1874.

"Then, sir, how much currency is needed? I cannot answer the question, but I venture to say one thing. Distribute $500,000,000 broadcast this day in the land, and it will be swallowed up like the water upon a parched desert. . . . . As a plan, however, I would suggest that it might be issued in five equal annual instalments. By this process it would be rapidly absorbed in the liquidation of debts and profitable investments; would be combined with labor and inter-

mingled with our diversified industries; made active in production and tributary to national wealth, instead of being locked up in a bonded debt, whose only active property is that of the eating cancer, consuming the body on which it is fastened.

"But how shall we get it? I have a plan of my own. How did we lose it? What became of it? In the first place it was retired in five-twenty and other bonds. The principle is easy, — redeem or pay off the five-twenty bonds in legal-tender notes and restore the equilibrium which was lost when these notes were retired. . . . . Redeem your five-twenty bonds, pay them off, and give the country legal-tenders. It needs them." — Mr. Bright, of Tennessee. *Record*, No. 42, March 31, 1874.

"A currency good in the payment of all debts would fix the price of commodities, and the value of debts would be adjusted to it. The price would be high or low, depending upon the volume of the currency. Perhaps there might be tables of the increase of population, and authority given the government in the course of paying its expenses to issue a fixed increase of currency annually, to keep pace with the growth and the increase of population of the country, and to provide for the loss or destruction of the circulating medium; or that feature might be left to Congressional action in the future, when the necessity of the case should require it." — Mr. Mellish, of New York. *Record*, No. 12, January 11, 1874.

In the course of an extract which has been quoted from a speech of Mr. Bogy of Missouri, it may be noticed that it had occurred to that gentleman that an increase in the volume of irredeemable legal-tender notes, while doubtless favorable to the interests of one class, — those who paid, — might perchance affect prejudicially another, — those who received. His answer was prompt: in plain English, it was that the debtors, as a class, were useful men who could not afford to pay; while the creditors, equally as a class, were useless if not bad men, who could afford to lose. The conclusion was apparent. There were many specimens of this line of argument, of which the following are a few: —

"*Expansion*, which is held up as a bugbear to frighten the timid, will, if it hurts at all, only hurt those who cannot be seriously injured. Contraction ruins those who cannot rally from the blow inflicted." — Mr. Beck, of Kentucky. *Record*, No. 95, April 9, 1874.

"The alternative now stands before us of expansion in some form

or resumption; commercial life or commercial death; either diffusion of wealth or monopoly of wealth. The question involves the prosperity of the producer, else the enrichment of the non-producer; whether the laborer shall walk more erect, or the capitalist more proudly strut." — Senator Ferry, of Michigan. *Record*, No. 70, March 11, 1874.

"There are, or at all events there should be, no favored classes in legislation; but we are in a dilemma from which we cannot escape without doing what I have indicated. Which, then, ought to be the favored class, and which shall it be? Shall we adopt that policy which will add to the burdens of the debtor and increase the wealth of the creditor class, or shall we, as far as lies in our power, endeavor to lift the burden from the former and impose it in a measure upon the latter? To these questions I have but one answer to give; and that is, let us, as far as is in our power, try to relieve the unfortunate debtor class, and afford them an opportunity to overcome the adverse fortune by which they have been overtaken; and at the same time do what we may and can to prevent unnecessary sacrifices by those who have been more highly favored and have escaped the horrors of financial embarrassment." — Mr. Comingo, of Missouri. *Record*, No. 122, May 10, 1874.

But perhaps as comical an argument as any advanced in the whole debate was that of Mr. Boutwell, when he undertook to show how, through ingenious financial expedients, the terrible fall in the value of legal-tender notes, which succeeded the Treasury suspension in 1861, had wrought no harm to the creditors of that period. This proposition deserves to be quoted at length: —

"I ask what excuse, except the sternest necessity, can be offered to the country upon the moral question if you add to the volume of currency and enable debtors to pay their debts with less value than would have been required under the currency that existed when the debts were contracted? In the war we had an excuse; it was a valid excuse. The country was in peril; every interest was in jeopardy. Individual rights under such circumstances are comparatively unimportant. Necessity, stern necessity, is the excuse; it is the defence. But the injustice of the proceeding was considered. We offered to the creditors of the country who held notes without interest the opportunity to exchange those notes for bonds bearing interest; and by the policy of the government and the purposes of the people those bonds have become as valuable as coin. Therefore the creditor class that

was at first compelled to receive in payment of debts currency less valuable than that which existed when the debts were contracted, by investing the moneys which they thus received in the securities of the government, transferred the loss first imposed upon themselves to the country as a whole; therefore, considering the creditor class of the years 1862, 1863, and 1864 together, they suffered nothing by the transaction." — SENATOR BOUTWELL, OF MASSACHUSETTS. *Record*, No. 36, January 29, 1874.

In other words, there was in 1862, 1863, and 1864, a class in the community which lived on fixed incomes, — on salaries, rents derived from leases, interest on bonds and mortgages, and on annuities. With the money so received they paid their rents and taxes, bought their food and clothes, and educated their children. The government during those three years debased the measure of value from 100 to 36, and rent, food, clothes, and education went up in price proportionately. This large class received their incomes, contracted in gold, in legal-tender notes; but, says the ex-Secretary, no wrong was done them "as a class," for had they not seen fit to pay rent, to buy food and clothes, and to educate their children, they might have invested their incomes in government bonds, which, by good fortune, have risen to par! As a "plain," "practical," "observing" man, — not one of your "theorists" or "doctrinaires," but a hard-headed retail shopkeeper, — Mr. Boutwell should have closed this disquisition on financial ethics and clinched his argument with the ancient and homely adage, that the creditor class, "as a class," cannot expect "to eat its cake, and have it too."

But Mr. Boutwell's great discovery in the course of this debate was that the depreciated legal-tender notes of the United States were neither "dishonored rags" nor "printed lies." In view of the promise printed on the face of each of them, both of these facts had been roundly stated by the "bullionists," as their opponents delighted to call the advocates of specie payment, at a very early stage in the debate. This excited the patriotic indignation of many gentlemen, and, among others, of Mr. Boutwell, who announced "that he had yet to learn how the public credit is improved or the character of the country increased by the statement that it is living in constant financial dishonor." There are few things, except signing their

names, in connection with the proper ordering of national finances, which Mr. Boutwell and his *protégé* and successor in the United States Treasury Department have not, apparently, "yet to learn"; but it would seem to be quite elementary that a pompous silence in relation to one's protested notes, however impressive it may be, is, after all, a poor substitute for cash; to the theoretic mind the discredit seems to be in the failure to pay, not in the plainness of speech thereon. But Mr. Boutwell argued that the legal-tender notes were not discredited, because, though they promised to pay "dollars," they did not specify when they would be paid: —

"Whoever will look at a United States note will see that there is no obligation expressed — and I think none implied — in what is written upon the note, that it is to be paid at a particular time. It is redeemable at the pleasure of the government, but not payable at any particular moment. Such was the spirit of the law. Such, I think, has been the view of the Treasury Department. . . . . As regards the United States notes, they are redeemable at any time, but they are payable only at the pleasure of the government; that is to say, the government will consult its own convenience, — the ideas that prevail as to a wise public policy. I only make these remarks that I may put an end, so far as an expression of opinion can put an end, to the opinion prevailing in the community that the government has for a moment been discredited in reference to the redemption of these notes. . . . . I suppose the courts would enforce the payment of a similar private obligation after the demand was made, considering the circumstances, whether they were reasonable or not; but the rule does not apply to the government. There is no power of making the demand." . . . .

"Mr. Morrill, of Vermont. I am quite ready to admit that there is no obligation which can be enforced by law; but it does not destroy the moral obligation." — *Record*, No. 20, January 10, 1874.

But Mr. Morrill got nothing by his reply, as the ex-Secretary triumphantly declared that "the equity and morality of the proceeding are to be sought for in the hearts and purposes of the people."

This question of the redeemable character of legal-tender notes excited in the course of the debate no little discussion, both metaphysical and legal. On the metaphysical side of the

question several conundrums were propounded by various gentlemen, all indicating an opinion that the legal-tenders were already "redeemable." As, for instance, in reply to Mr. G. F. Hoar, who asked him if he did not consider "the faith of the government pledged to the redemption of the greenbacks in coin," Mr. Kelley characteristically and enigmatically responded as follows: —

"Mr. Kelley. I say I think the faith of the government is pledged to the redemption of the greenback; but I have no time to go into a scientific discussion of the question of what is redemption. Some day I shall be glad to have the gentleman make an hour's speech and let me puzzle him with a few questions, such as whether a thing is not redeemed when it buys its full value." — *Record*, No. 27, January 18, 1874.

The unfortunate Mr. Mellish of New York, who, almost before the debate was over, lost his mind and died, philosophized to much the same effect: —

"Inasmuch as our currency under the proposed plan would represent the dollar and its multiples, the critic or hypercritic will ask, What is a dollar? Answer: It is the name conventionally adopted as a unit of value. But what is it worth, and what do you measure a dollar by? Answer: By the same method as with the silver and gold dollar under the specie system, — by another dollar of the same kind. But what is it worth? says the critic. It is worth as much wheat, or cloth, or leather, or salt, or rum, or tobacco, as you can buy with it. And that is all that can be said of a gold or silver dollar." — *Record*, No. 86, March 29, 1874.

But Mr. B. F. Butler, as usual, settled the question so as to obviate the necessity of its further discussion forever: —

"I hear a great deal said about 'an irredeemable paper currency.' What is currency? It is an instrument of exchange, an instrument to work with, to use, to measure values, to carry on transactions. Why does not somebody get up here and make us an argument about an irredeemable yardstick, or an irredeemable quart-pot, or an irredeemable bushel-measure, or an irredeemable Fairbanks scale? Why should we want to redeem this instrument of exchange, this measure of value? We want to use it all the time." — *Record*, No. 93, April 7, 1874.

It so happens, however, that the first law passed under the administration of President Grant was an act to strengthen

the credit of the United States, which, among other things, "solemnly pledged" the national faith "to make provision at the earliest practicable period for the redemption of United States notes in coin." Five years had passed away and not one step in the direction indicated had yet been taken. And now the inflation leaders dealt with this act in two ways: by one section of them it was roundly denounced, while by the other it was gently interpreted away. Mr. Kelley was the leading exponent of the first class, as Mr. Boutwell was of the second. The former gentleman was peculiarly explicit: —

"Mr. Kelley. I will accommodate the order of my remarks to the gentleman's question, although I would have preferred that he had allowed me to reach it at another point. Sir, the resolution of 1869, to which the gentleman refers, was passed in order that it might be said that the first act signed by General Grant was a declaration in support of the public credit. It originated in the room of the Committee on Ways and Means, and was a bit of buncombe by which opposition members were to be compelled to vote to sustain the public credit.

"A Member. And you voted for it." — *Record*, No. 27, January 18, 1874.

"Where did one Congress get the power to bind its successors forever by an ordinary act of legislation? O, yes! It is all right to amend the act of 1862 by the act of 1869, after the bonds were issued, and add $ 200,000,000 to their value; but of course legislation that would relieve labor and save to the producers of our wealth, the patient toilers in the field and the mine and the shop, $ 21,240,000 a year, would be a violation of public faith! What an argument in a republic!" — Mr. Holman, of Indiana. *Record*, No. 95, April 9, 1874.

"It is known to every gentleman that you passed an act in 1869 saying you would redeem this debt in gold. Suppose you did. It did not form any part of the contract. It was a legislative act and bound nobody, but simply authorized the government officer to pay in gold. Whenever you repeal it, it is at an end. It is not like the law of the Medes and Persians." — Mr. Bright, of Indiana. *Record*, No. 87, March 31, 1874.

"I think it would be quite justifiable in any future Congress to regard such legislation as null and void. It is not fair to assume that all wisdom will die with this Congress, or that we know better how many greenbacks will be necessary in 1880 than will the then representatives of the people. Of course this principle will apply to

the farce of 'a solemn pledge' in regard to limiting the volume of greenbacks passed some years ago, and about which has been let off so much of touching, not to say maudlin, eloquence. Even the Constitution fixes nothing in perpetuity; how absurd, then, to claim a greater scope for an enactment of Congress, which may be passed suddenly and under excitement, than can be claimed for a solemn provision of the Constitution itself." — Mr. Mellish, of New York. *Record*, No. 86, March 29, 1874.

Mr. Boutwell's ingenious method of referring those curious as to the significance of this act to "the hearts and purposes of the people" for information on that point has already been referred to. This simple method of disposing of an ugly point strongly commended itself to the Congressional mind, and brought out numerous marginal glosses on the words "earliest practicable period": —

"The word 'practicable' in the law of 1869 is not synonymous with 'possible.' It does not mean at every sacrifice, or at all hazards, but when the government is in a condition to do it, and it can be done without injury to the general prosperity and the business of the country. Upon the greenback circulation there can be no technical default by the government. It is not a private but a public obligation, part of a general system of finance and administration issued for purposes of general policy and to be paid in the same way. The greenbacks were issued as a substitute for coin, the day of payment left indefinite and dependent upon the future condition and business of the country." — Senator Morton, of Indiana. *Record*, No. 79, March 24, 1874.

"I therefore say that the Senator's idea that the government can only maintain her honor by paying out a dollar in gold for each dollar in greenbacks is erroneous. She will pay every dollar of it when it can be done without detriment to the treasury or injury to her citizens; and that is what is meant by 'as soon as practicable on her part,' which the Senator from Ohio [Mr. Sherman] dwells on so much." — Senator Logan, of Illinois. *Record*, No. 29, January 31, 1874.

"Congress, in 1869, after the hue and cry of the Western Democrats for repudiation had somewhat subsided, passed an act to strengthen the public credit. This act binds the government to redeem the greenbacks at the earliest moment practicable. At present specie redemption is not practicable. It is not even possible. The people, who own the greenbacks, and who are the sole judges of the question of practicability, do not *demand* it now. The greenback

is more popular than ever before, and it holds its value unimpaired amid all the clamors of all its detractors." — Mr. Sherwood, of Ohio. *Record*, No. 89, April 2, 1874.

Mr. Ferry, however, laid down the broad general principle that, with individuals as well as with governments, willingness to pay one's notes was the one conclusive proof of the ability to do so, and that the examination into "the hearts and purposes of the people" should go no further; unwillingness to pay was sufficient evidence of inability to pay, and conclusive on the "earliest practical period" point; consequently "the government, when able conveniently to pay, will pay." The colloquy setting forth this startling theory of commercial faith is too long to quote. (*Record*, No. 77, March 11, 1874).

But this branch of the discussion brought up the whole "greenback" question, and the eagle fairly screamed in his wrath at the opprobium cast upon such a noble legacy of our martial glories. The logic here becomes so absurd and the rhetoric so detestable, that the temptation to quote is not easily resisted. But a single specimen of each style of argumentation must suffice. We may as well begin with the good old *post ergo propter*, and Senator Cameron, of Pennsylvania, may state it: —

"He [Mr. Stewart of Nevada] said that our currency was the reproach of the country. I wanted to know from the Senator where was the reproach. Was the issuing of our greenbacks, and afterward the establishment of our national banks, a reproach when it saved the country from the hand of the spoiler? Was it a reproach when this government of ours, which I and other men believe the most beneficent government in the world, was saved from destruction and the country from dismemberment? Was that a reproach? I think not. Without our banking system, without our greenbacks, we should have been severed long ago. The great consummation of the war, which destroyed so much capital and so many valuable lives, was saved to us and to the world and to future generations by the currency which the wisdom of Congress gave to the people. I think there was no reproach in that." — *Record*, No. 56, February 21, 1874.

Next, Mr. Ferry, with the *reductio ad absurdum*: —

"I ask your attention to the two ways of measuring the value of this currency. What are they? Go into the markets; question

Wall Street; and the answer made in the midst of the panic was, that the value of this currency was only six per cent discount, — ninety-four cents to the dollar in gold. I ask the Senator from Wisconsin [Mr. Howe] whether that be 'stuff,' whether that be 'counterfeit money'? And I ask the Senator from Vermont [Mr. Morrill] if such is an 'engraved falsehood'? If in market, in the midst of the panic, it was worth ninety-four cents, and to-day, I believe, is worth ninety cents in coin, then strictly, according to the epithets and estimates of these Senators, it would be ten cents lie and ninety cents truth." — *Record*, No. 14, December 19, 1873.

Then Mr. Morton argued that the people accepted the legal-tender notes, not because the courts compelled them to accept them or nothing, but because they loved them and preferred them to gold; technically the *argumentum ab amore viridistergi*: —

"The issue of greenbacks solved the financial question of the war, and from that time forward there was little trouble or doubt about the means for carrying on the conflict. The greenbacks grew steadily in popular favor, and, notwithstanding the premium on gold, became, and are to-day, the most popular currency the country has ever had. The idea that they were a forced loan never occurred to the people. They took them without force, would part from them with reluctance." — *Record*, No. 81, March 24, 1874.

Then comes an argument from the inexpediency of waste; — money is wealth, currency is money, — "greenbacks" are currency, therefore "greenbacks" are wealth: —

"When you tell me that you will repeal the legal-tender act and burn up the legal-tender notes, I tell you you will burn up $382,000,000 values in this country, and you reduce to that extent, by $382,000,000 of values, the property of the people of the United States of America. That is exactly the result, ... and I tell you, gentlemen, when they go before this country with propositions like this, ... they will find a voice coming from the hard-fisted yeomanry of this land, that will make them shake and tremble in their boots." — Mr. Logan, of Illinois. *Record*, No. 149, June 12, 1874.

Next comes the *argumentum ab amore patriæ*: —

"And right here rests the true basis of all our currency. *While the people cheerfully and readily pay taxes, the currency can never be discredited*, notwithstanding public men decry it as lies, mockery, repu-

diation, and shame; thus doing more to blast the reputation of their country and befoul its fair name than they could by any device of wickedness short of rebellion and treason." — Mr. Coburn, of Indiana. *Record*, No. 95, April 9, 1874.

Then we have a new species of argument drawn from the joy of the manumitted African, — a species of *argumentum ab amore Nigrorum* : —

"We must remember that these people had seldom seen gold; that the greenback was the first thing they ever earned they could call their own, the first thing, save our flag, that stood before them a symbol of their freedom. With it they soon learned a power to gather together long-broken families into a common happy home. To the colored man the greenback rose above the dignity of a language; to them it almost bore the dignity of religion. This precious-earned companion of the new freemen they gather and cherish as better than gold, the possession and power of which they never knew." — Mr. Merriam, of New York. *Record*, No. 85, March 28, 1874.

And now, at last, we come to an old, familiar friend, — the "blood-sealed greenback," — and no single excerpt will suffice for the glories of the *argumentum a pueris in cæruleo vestitis* : —

"Sir, you might have sent friend after friend down upon the bloody battle-fields, and each blue-coated boy there might have put his wife and children into that friend's care, and said to him, 'When you go home, take care of them and see that they do not suffer.' Yet there would have been a lingering doubt in the mind of that soldier that, because of other duties, those friends would not perform that mission. But when you sent the greenback to the soldier in the field, when you put into his hand that promise to pay, which is called by some a 'fraud upon its face,' and when he mailed it to his family, he was sure that that would take care of them while he was fighting the battles of his country. Sir, the greenback was one of the most potent weapons that the Union army had during the long and bloody struggle through which this country passed." — Mr. Biery, of Pennsylvania. *Record*, No. 34, January 27, 1874.

"If our government is not good, then our currency is not good; if our government is good, our currency is good; and with a government so cherished, so endeared to the people of this land that they would spend billions upon billions of money and rivers and rivers of the

best blood to preserve it, I ask you where the man is who will stand up here and curse it and say it is not responsible for the circulation of the country? Why, sir, men who have by their attacks indirectly assailed the character and credit of this American government have sinned against the enlightenment of this age." — SENATOR LOGAN, OF ILLINOIS. *Record*, No. 79, March 21, 1874.

"Here we are still within reach almost of the battle-cry and shouts of victory that closed the war, and we are now demanding, or a portion of our American people are demanding, a speedy redemption of the legal tender. Sir, I maintain for that legal tender, to-day, that it is as good as gold. The honor of this nation is pledged for its redemption in gold; it will be, and shall be, every dollar, redeemed in gold. We will never repudiate a dollar or a dime of it. Sir, it has upon it the impress of the best faith of this nation. It is the money sealed and sanctified with the best blood of the Republic. It is no disgrace to the nation; it is a noble currency, a grand trophy of the war, and held dear in the heart of every American citizen." — SENATOR OGLESBY, OF ILLINOIS. *Record*, No. 55, February 20, 1874.

But according to these authorities, the greenback is not only good and lovable from a sentimental point of view, but its payment is secured as is that of no other paper, however "gilt-edged." Mr. Havens, of Missouri, in his enthusiasm declared that "every dollar of property in the country is pledged for its redemption"; and Mr. Albright, of Pennsylvania, announced that a "government note is a mortgage upon every farm and every workshop in the country." This proposition was very frequently advanced, and, at last, when put forward by Mr. Wilson of Indiana, led to the propounding of an obvious question, which brought forth a very characteristic reply from General Butler: —

"All the property of the nation, all the wealth of the nation, all there is of this government, was saved by the greenback; and behind the greenback is a pledge for its redemption in the taxes of the country, in the property of the country, and not alone in the gold of the country, which we of New England may have a little more of than some of the rest of the States of the Union.

"MR. GARFIELD. Will the gentleman please point out the link that fastens his greenback to the security which he says gives it its value? How may the holder of it realize the security?

"MR. BUTLER, of Massachusetts. It is fastened by the votes of

honest Congressmen that do not vote for banks." — *Record*, No. 90, April 2, 1874.

The process of foreclosure on some particular "farm or workshop," by virtue of this pledge, might chance to be intricate; but, after all this nonsense, it is refreshing to see a bubble pricked, as was this one, by Mr. Kasson of Iowa: —

"There is a short argument on this question. Suppose I owe to the most prominent unredeemable inflationist on this floor ten dollars. I go to him with this ten-dollar 'greenback' in one hand, with all the property of the United States behind it, with all the laws of the United States guarding it, with all the unexecuted pledges of the United States to make it as good as gold; and in the other hand I take this golden 'eagle,' which has got merely the mint stamp of the United States on it, no mortgage or land or public pledges or financial theories behind it; which is yellow, not green in color, and which contains, for every dollar named on it, twenty-five and eight tenths grains of gold; and I ask him to take his choice in payment of the debt I owe him. Will he take the paper that has all the laws of the United States behind it, all the billions of the Federal census to support its value, and all the pledges of the government faith for its redemption; or will he take this metal which has no security or pledge behind it, but which contains simply a certain number of grains of gold? My friend in front of me, which will he take if he has his choice?

"A Member. Both.

"Mr. Kasson. Let him have his choice, and which will he take? He will take the gold every time.

"Now, sir, that argument you may take into every district in these United States, and put it against all your fine-spun theories of the inherent beauty of an irredeemable paper currency. You may take it to the farmers and laborers of any district between the two oceans. I will meet you on any stump with it." — *Record*, No. 97, April 11, 1874.

Naturally, "greenbacks" approaching so very closely to that perfection which is never wholly attained, the use of specie came in for a suitable expression of contempt. The idea of specie payments was "a snare," "a delusion," "a fallacy"; a "fanaticism" which Mr. Morton, for instance, had suffered under pretty badly once, though "experience and the lapse of time had abated the violence of it in his case very materially."

(*Record*, No. 15, December 20, 1873.) It was also a worship of the golden calf; but our members of Congress must speak for themselves: —

"Mr. Morton. Mr. President, it has been the subject of complaint with many religious people in this country for a good many years, that when our fathers formed the Constitution they did not put into it a recognition of Almighty God; but it seems, according to the argument of several Senators, that they put gold into it, which many think is better; they erected in the Constitution a golden shrine, at which many persons worship who worship at no other." — *Record*, No. 89, April 2, 1874.

"Standing as we do, Mr. Speaker, on the eve of our centennial celebration, with a history and an experience peculiar and significant, it is not becoming in us to bend in humble adoration before the brazen god of gold! This colossal idol, like the golden calf of old, must be shattered before we reach our Canaan. A gold currency, or a resumption of specie payments, so called, is a delusion and a snare. It is no more essential to our financial prosperity than the fly on the driving-wheel is essential to the speed of the train. Our people want a government currency, bearing the impress of solvency and security, and plenty of it, to enable them to solve the problem of their manifest destiny.

"The worn-out countries of Europe furnish no parallels for us. The lamp of their experience sheds no light on our path in this regard." — Mr. Killinger, of Pennsylvania. *Record*, No. 55, April 20, 1874.

This idolatry of gold on the part of the minority finally became so scandalous that Mr. Logan felt obliged to remind the Senate, with great dignity, that "the people of this country do not worship gold, they worship their God, but they do use gold as a medium of exchange." (*Record*, No. 149, June 12, 1874.) It is sincerely to be hoped that the first half of this proposition is more correct than the last, but of its propriety and elevation of tone there can be no difference of opinion. But, as Mr. LaFayette Kettle would have said, the Senator from Illinois is "perhaps as remarkable a man as any in our country."

Some profound comments were also elicited on the absurd value conventionally put upon gold, or, as Mr. Small of New Hampshire expressed it: — "What is gold? In and of itself it is the most worthless of all the metals." (*Record*, No. 51,

February 15, 1874.) Nor did he stand alone in this estimate: —

"It is a popular error to suppose that gold is worth intrinsically anything like the value that is placed upon it conventionally by legal enactments and the consent of trading nations. In truth, intrinsically, gold is one of the least valuable of the metals. Conventionally, it is the most valuable. Take from it that conventional value placed upon it in use among men, and its value is very low in the scale of metals. Steel and zinc and tin and some of the other metals are intrinsically more valuable." — Mr. Mellish, of New York. *Record*, No. 21, January 11, 1874.

"Is there any doubt that gold, as far as regards intrinsic value, is among the least valuable of all metals, being put to the fewest uses, except for the purpose of ornament? The Spartan was right when he made iron the currency on its intrinsic value. The only trouble was, it took a great deal to carry on the business; and it would take a great deal in weight of gold to carry on business. We cannot carry on even the business of this country in gold without an amount of gold greater than that which exists in the world." — Mr. Butler, of Massachusetts. *Record*, No. 93, April 7, 1874.

And this idea of insufficiency was enforced in many quarters; especially by Mr. Merriam of New York, who, in the same paragraph, charged it with the apparently inconsistent sins of insufficiency and redundance: —

"There is not gold enough in the world to transact the business of modern commerce; hence, each nation invents its own paper currency. . . . . Gold has been the great inflationist, and unless we can shut up our mines, pouring a hundred millions annually into the lap of mankind, it will continue the great inflator; and hateful as has been the word 'expansion,' it will continue the great expansionist.' *Record*, No. 85, March 28, 1874.

But the crimes of gold were not yet all enumerated. It was reserved for Mr. Sprague, of Rhode Island, to complete the list. The business firm of which that gentleman was a member had become insolvent during the crisis, and, like most men of broken fortune, Mr. Sprague took liberal views on all points of financial ethics. Wholly betraying the constituency which had the misfortune to be represented by him, in dogged, shame-faced silence he contented himself with a silent vote for any and

every measure looking to the national dishonor. In cruel compliment Mr. Ferry, of Michigan, had alluded to him as the one exception to the solid New England vote, and attributed his action, not to his bankruptcy, but to a "wise forecast," the result of "mammoth business enterprises," which led him to support "expansion." (*Record*, No. 70, March 11, 1874.) But at last Mr. Sprague broke through his wise rule of silence, and made, so far as the record shows, his single contribution to the long debate in these remarkable words: "Gold is the basis of monopoly." (*Record*, No. 150, June 13, 1874, p. 54.) Truly, with Mr. Sprague silence was better than speech!

This line of reasoning as regards gold would have been incomplete had the selection of a universal measure of value on which to conduct the exchanges of the world not come in for its share of ridicule. "The money of the world" was thoroughly exposed. Mr. Bundy of Ohio had a friend who went to the exposition at Vienna; in that city he found a community making use of a legal-tender currency even more depreciated than that of the United States. Mr. Bundy's conclusions therefrom were noticeable: —

"Another thing. They had a world's fair and exposition over there in Vienna last summer. And they had a 'world's currency' there, too. But the curious part of it is that during that fair the greenbacks of the United States were worth more at Vienna than the currency of Austria, 'the world's currency,' and brought a premium. A friend of mine, who was over there, to whom I said, 'What could you do with the greenbacks; could you get anything with them?' replied, 'O, yes; I got a premium on them.'

"The world's currency of the United States, the greenback currency, is to-day worth more at Vienna and on the Rhine than the bond of Great Britain. Now, I think that is about good enough. It seems to me that the quality is all very well, and that we have no right to say, by legislation or otherwise, that the dollar of the United States in the shape of a greenback shall not be a dollar for all purposes.

"But, Mr. Speaker, I know that in talking this way I am outside of precedents, and I am glad of it.

"Mr. Kelley. But you are on the foundations of eternal truth." — *Record*, No. 34, January 27, 1874.

But even before this lucid exposition Mr. Field of Michigan had struck these "foundations of eternal truth," and given the *coup de grâce* to the "money of the world" in the following "profound and original" reflections: —

"Some ignorant persons have a notion that money should be redeemed, and they call ours 'irredeemable currency' and 'false promises to pay.' Now, the power of transferring a debt from one to another is the true and only function of money. Who ever heard of English sovereigns or American eagles being redeemed in any other sense? Our greenbacks are in fact redeemed every day in effecting exchanges and in the payment of debts. Again, others, still more ignorant, assert that our money should be the money of the world, — they never specify what world, nor do they describe the kind of money wanted, nor how Congress is to exercise its 'express powers' to provide lawful money for other nations. If they mean gold coin, then what shall be done for China and the East Indies, containing probably one third of the whole population of the globe, and whose money consists solely of copper and silver? Our sentimental writers on finance should know that the lawful money of one nation becomes merchandise, like corn and pork, in another; our gold coins, when shipped abroad, leave the country like other of our raw products, and bankers draw for the avails at sight. Such persons should also know that Congress can only provide money for the New World; and that our national credit — the greenback — is the best lawful money for the people of the United States." — *Record*, No. 21, January 11, 1874.

Of course, gold being so valueless, fluctuating, insufficient, superabundant, and, in a word, disreputable a commodity, it was inexplicable that it should in common opinion be valued more highly than a currency so infinitely preferable to it as "greenbacks." This was attributed by all the authorities, from the versatile Morton to the unfortunate Mellish, to the fact that the government exacted its duties on imports, and paid the interest on its debt, in gold. The majority of Congress failed to grasp the idea that gold was a commodity in universal demand, and that however little we used it among ourselves, buy it we must with what we did use, if we did not propose to cease our dealings with the world. But let them speak for themselves; according to them, all that was needed to destroy the market for gold was for the United States government wholly to ignore it: —

"The interest upon the public debt must be paid in coin, and, to procure that, duties upon imports are made payable in coin. If we had no public debt, or if the interest upon it was payable in currency, then the duties might be collected in greenbacks; and there can be no doubt that they would be of the full value of gold. But while importers must procure about one hundred and seventy millions of gold annually with which to pay duties, there will be a strong demand for it in the market, and gold will be at a premium." — Senator Morton, of Indiana. *Record*, No. 79, March 24, 1874.

"My view is, if the government would put an end to the traffic in gold by no longer employing many thousands of merchants in New York and elsewhere to supply through customs the gold that is necessary for the government wants, and let the government issue its paper a full legal tender, and then, as sole purchaser of coin, provide itself for public necessities, there would then be so little demand for coin and no competition in the market, the premium would disappear." — Senator Ferry, of Michigan. *Record*, No. 77, March 11, 1874.

"The other step to which I refer is to strike from the laws the words 'except duties on imports,' and make government money receivable for all dues to government and to individuals alike. Do you desire to see the currency at par with gold? You will not see it as long as the government dishonors its own currency, by making it a legal tender to the citizens, and refusing it for dues to itself. . . . . Relieve the merchants of the necessity of buying gold to pay duties, and that day the occupation of the Wall Street gold kings, like Othello's, is gone. Gold, being no longer needed for individual purposes, or by government save to pay interest, would cease to be in demand, and the whole coin of the country would be upon the market without buyers. It must of necessity therefore fall to par, and if we continue this course, would remain so forever. The amount of coin needed to pay interest would be largely supplied by the mines and receipts from abroad. If more were needed, let it be purchased abroad and not here. Free the farmers from the merciless claws of the speculators and the burden of high interest, and their exports will soon take care of foreign balances.

"Mr. President, the day we take the step I have indicated, that day we shall proclaim a new Declaration of Independence, — a declaration of the independence of our industries from the effects of our own money-changers and 'combiners,' and of foreign intermeddlers with our currency. Let a dollar mean a dollar, and not a promise to pay a dollar." — Senator Gordon, of Georgia. *Record*, No. 32, January 24, 1874.

"The way to return to specie payments, that is, to make a paper dollar equivalent in purchasing power to a dollar in gold, — a consummation most devoutly to be wished, — is to make gold an article that is not sought for. Destroy the market for gold here, which would be done by this bill, and you would very soon find people who would be very willing to change their gold for the circulation of the country. . . . . When it should occur that the balance with trading nations should be in our favor, they would be compelled to pay us in gold, and then we should be so situated we could take the gold at our own price. The time is in the near future when we shall be imperial in every respect." — Mr. Mellish, of New York. *Record*, No. 62, March 1, 1874.

There were, however, two points throughout this debate which gave the majority infinite trouble: the one was that all human experience was against them; the other, that all human authority was against them. Their method of dealing with these difficulties had the full flavor of the debate, and its daring patriotism cannot but excite the admiration of a distant posterity. Take the lessons of history first, and deal with them chronologically. In the course of his speech of 25th February, Mr. Schurz had made a very happy quotation from Marco Polo, showing the use and abuse of paper-money far back in the centuries. This troubled the mind of Mr. Logan, until he bethought himself to thus hoist the engineer with his own petard: —

"I do not go to Chinese classics for my theory of currency; I do not desire to adopt their theory, nor does any one else that I know of; and if the Chinese, as he asserts, tried paper-money a thousand years ago and then returned to specie, and specie alone, without having any other circulating medium but that, we have in their present condition an evidence of the result. What is it? Isolated from the world, idolaters, semi-barbarous, governed by superstition, less enlightened and less advanced to-day than they were in the days of Confucius, their only ambition when they come into enlightened nations being to wash clothes and become menial servants to others. If the credulous old Venetian is correct, then the example is against the theory of the Senator from Missouri and not in support of it. But will he compare the money of China in the thirteenth century, based on nothing but the will of a despot, to our money based upon gold-bearing bonds of the best government in the world? He may do

it, sir; but the people will not agree with him." — *Record*, No. 79, March 21, 1874.

Next came the "South Sea Bubble," which Mr. Merriam of New York closed out of the case thus peremptorily: —

"Is it in sincerity and honesty that intelligent men point us to the 'South Sea Bubble,' and tell us to beware, when the great *power* of our currency is based upon a necessity for its use and in the mutual confidence of honorable men, without which there is no possibility of extended commerce, which is one of the master glories of civilization?" — *Record*, No. 85, March 28, 1874.

Then came the French *assignats* which Messrs. Bundy and Mellish exposed with much historical acumen: —

"Gentlemen have also referred to the French *assignats*. But they were founded upon what? Upon nothing, as it turned out. They had no government support, as our currency has. They were founded upon the confiscation of the property of the Church and the property of the emigrant nobles. Not only that, but the government that issued those obligations undertook to confiscate man of his immortality, the universe of its God." [Here the hammer fell.] — *Record*, No. 95, April 9, 1874.

"The French *assignats* are thrust into the argument by the bullionists, apparently in ignorance of their real nature and the anomalous circumstances under which they were created; as though there was any resemblance between the condition and government of our country now and of France at the time they were issued! In point of fact there was no sovereignty in France competent to sell and convey title to the property they had covered with *assignats*. If the power that issued them had acquired authority, the property could and probably would have been sold, and the *assignats*, that were a lien upon it, might have been good. But the *assignats* failed to have any value, because the government that issued them failed to have any power." — *Record*, No. 62, March 1, 1874.

Upon which last extracts, as indeed upon much of this discussion, a somewhat instructive light is thrown by this excerpt from one of Mirabeau's speeches in the French Assembly, which was quoted by Mr. Mitchell of Wisconsin: —

"It is vain to assimilate *assignats* secured on the solid basis of these domains to an ordinary paper currency possessing a forced circulation. They represent real property, the most secure of all pos-

sessions, the land on which we tread. Why is a metallic circulation solid? Because it is based on subjects of real and durable value as is the land which is directly or indirectly the source of all wealth. Paper-money we are told will become superabundant; it will drive the metallic out of circulation. Of what paper do you speak? If of paper without a solid basis, undoubtedly; if of one based on the firm foundation of landed property, never. There cannot be a greater error than the terrors so generally prevalent as to the over issue of *assignats*. It is thus alone you will pay your debts, pay your troops, advance the revolution. Reabsorbed progressively in the purchase of the national domains, this paper-money can never become redundant any more than the humidity of the atmosphere can become excessive which descends in rills, finds the river, and is at length lost in the mighty ocean."

It must apparently be confessed that, so far as security was concerned, as compared with "greenbacks," the *assignats* had the best of it.

Finally the experience of the Confederate States money was one day referred to by Mr. Chandler of Michigan. This was too much for the patriotism of Mr. Logan, and the bird of liberty fairly danced and yelled. It will be noticed that Mr. Logan's wrath was too much for his English, and at the close of his remarks he slightly confused the attributes of his mind with those of an irredeemable paper-money: —

"Mr. Logan. I must say that I am very much surprised to see the war Senator, as he was termed not many years ago, so short a time having elapsed since the faith of this nation had been tried and the people tested it, to-day comparing our notes with Confederate notes. Does he suppose that he can palm off any such sophistry as that upon an intelligent people? Does he not know that the Confederate money was based upon a prospective government, and the moment the government was on the decline the money must decline, — the very moment the government collapsed the money could not be worth the paper it was written on? Does he not know that; and does he stand here to-day in the presence of an intelligent community to compare the notes of a collapsed government and their depreciation with those of a competent, stable government like ours, whose notes have not been depreciated on account of want of faith in the government? Great heavens! if we have come to this kind of argumentation on the side of the bullionists, or the side of the contractionists, on the side

of the rich against the muscle and energy of the country, that they must compare our government, standing as it does to-day the pride of the world, against the notes of a confederate collapsed government, I am ashamed of my country if such stuff as this should be received by even a man that was depreciated in intellect." — *Record*, No. 55, February 20, 1874.

Having thus disposed of all human experience, it only remained for the inflationists to dispose of all human authority. In this field they only can do justice to themselves, — their ravings were simply incredible : —

"An attempt is made to bind up and fetter its [this country's] expanding energies and prospects with Old World theories and methods. As well attempt to put baby-clothes upon the statue of Hercules. Such men judge our country by the Old World standards. Sitting upon the steps of our national Capitol, they look up the stream of time, study the inscriptions upon the Pyramids, and the financial theories of China, and call it learning. . . . . But some nations still stand out and cling to gold and silver as the only safe and respectable medium of exchange, and are dragging their way down the path of time generally far in the rear of their more enlightened, wealthy, and prosperous neighbors." — Senator Morton, of Indiana. *Record*, No. 79, March 24, 1874.

"Mr. President, an abundance of money, plenty of money, does produce enterprise, prosperity, and progress. There is no sort of doubt about that. Now, I put aside all these old theories. My friend can bring from the books, as he has brought, authority that we ought to have absolute free trade. He can bring from the books authority in favor of the contraction of our currency to one half of its present volume. I know he can do that. But after he has stated all these commonplaces of the books, these platitudes of finance, has given us the metaphysics of finance, there is no vitality in them. I prefer to take the actual results and the actual condition of the country, and let theory go to the dogs. There is no more vitality in these theories, as applied to the condition of our country now, than there is in the petrified snakes or the geological specimens upon the shelves of some venerable antiquary." — Ib. *Record*, No. 26, January 17, 1874.

"I believe that the great error of the present moment is the tendency of men to rely upon what are declared or have been declared to be principles with reference to other countries and other conditions of peoples, not applicable at this time to ourselves. I should like to borrow, as an illustration or example of what I have in mind, one of

the greatest questions ever put to mankind, by Colburn, in his 'First Lessons of Intellectual Arithmetic,' to the child: How many thumbs have you on your right hand?" — Senator Boutwell, of Massachusetts. *Record*, No. 54, February 19, 1874.

"Are we to be whistled down the wind and answered by theories from John Stuart Mill or from Bastiat? I hope not. Let us rather look at the actual condition of our country; let us be governed by the circumstances that surround us, rather than by those which surround other countries; and yet the lessons of history are all in favor of what I advocated the other day, and of what I say to-day. You can no more make the wages and prices that prevail in Germany and France applicable to this country than you can make the map of Europe answer for the map of North America. Suppose you take a plaster of Paris cast of the topography of the continent of Europe, with all her mountains, plains, and rivers, could you make that fit upon the continent of America? No more can you make a theory that may suit Germany fit the condition of things in the United States." — Senator Morton, of Indiana. *Record*, No. 26, January 17, 1874.

"I do not consult antiquated theorists of a hundred years ago to determine whether we have, or have not, enough money for the business necessities of the country. The wisest of them no more comprehended the financial wants of to-day than they foresaw the present greatness of our nation. Being a practical man, I look upon things as I find them, and will insist on a system of finance which has proven beneficial to our people, even if this throws me in opposition to the conjectures of antiquity." — Senator Cameron, of Pennsylvania. *Record*, No. 52, February 17, 1874.

"I am aware, Mr. Speaker, that my presumption, in assuming to suggest adequate remedies for the evils of the times, merits, and will receive, the sneering condemnation of the book-worms, theorists, and bankers of the House and country. . . . .

"It was said that much learning had made Paul mad. Sir, I am sure this will not be supposed to be my case, for I am but a plodding interrogator of our own recent financial history and of current events. Strangely enough, sir, this limited field of study has forced upon me the conviction that the most dangerous thing a legislator can possess is knowledge, — that absolute knowledge which is derived *a priori*, which regards the teaching of the passing year as vulgar and impertinent, and the possession of which justifies gentlemen in ignoring any fact that seems to conflict with conclusions imparted by men who were once accepted teachers, — such knowledge, sir, as that possessed by the people who persecuted Galileo! . . . .

"Yes, sir, the world does move; and the folly of the alleged algebraic relation between the volume of currency and the prices of commodities which was invented by Montesquieu, anglicized by Hume, and is still accepted as true by our gold-basis sophists, has been demonstrated a thousand times by terrible experience." — Mr. Kelley, of Pennsylvania. *Record*, No. 68, March 8, 1874.

"The books that have been written on the subject have been written by men who were in the interest of the aristocracy of the country in which they were living. They were written in the interest of moneyed men, as against the laboring man and the masses of the people. I do not know that I can except from this remark any book on political economy that I know anything about. I admit that I have not read as much on this subject as some others; if I had, I might have adopted their heresies." —Mr. Bundy, of Ohio. *Record*, No. 34, January 27, 1874.

This last censure was, however, a little too sweeping for Mr. Kelley, who could not help calling to the speaker: "You ought to except Henry C. Carey's work on Political Economy"; which Mr. Bundy forthwith proceeded to do. The late Sydney Smith was one day alluded to, but he was incontinently stigmatized as an "old Englishman," an "English Tory," who had gone over the "argument to depreciate American institutions," and was incontinently hustled out of doors. But they had not done with Englishmen; Mr. Sherwood, of Ohio, next took them in hand: —

"Our own country, in war and peace, for the past ten years has been conducted in defiance of every principle of military strategy and political economy laid down by the books. . . . . And to-day, after ten years of substantial and healthful growth in invention, in manufactures, in material wealth, in population, in moral grandeur, what do all the books of all the Englishmen amount to?

"The Declaration of Independence was not written in accordance with English precedent; and when the young Republic was started, as a feeble contribution to a new system of political economy, there was no celebrated Englishman to give it a send-off, or a godsend, with a book. And to-day, with nearly a century of successful history behind us, — a century born the year Adam Smith sent into the world his 'Wealth of Nations,' — how marvellous it is that not one Englishman has fortified the Republic with a book. And yet we have not seriously felt the loss. . . . .

"During the progress of this debate all history has been ransacked by contractionists for evidence to fortify their positions. All the obscure pamphleteers of the last century, whose works have drifted down through cheap auctions to the Congressional Library, have been dusted out and doctored and brought to the front. I have no objection to this resurrection of these dead voices; but in the light of the experience, knowledge, genius, and practical statesmanship of to-day, why should we seek oracles of obscure tombstones?" — *Record*, No. 89, April 2, 1874.

But Mr. Coburn, of Indiana, alone dealt with this subject of authorities with any true genius. He did not destroy them; he did better, he appropriated them. He thus pre-empted Mr. Webster: —

"The world does move and change, but those who quote Webster and the old statesmen who died before these astounding steps of progress do the grossest injustice in their attempts to apply their mere arguments as to the policy of their times to ours. The Webster of to-day would not be found among the pinching and grinding contractionists; his grand soul would have risen to the height of the great argument for progressive financial management. He would have seen and appreciated the grand march of events, and lent his own powerful eloquence to plead the cause of true national advancement. He spoke for no day and no occasion like the present. He was laid in his honored grave before the great events I have named had their inception." — *Record*, No. 95, April 7, 1874.

But the tricks the inflationist gentlemen played with history were not confined to assertions of what might have been. They tampered as freely with facts, as they proposed to do with contracts. Take the following examples: —

"The Bank of England suspended specie payment for twenty-four years following her continental wars, and issued bank-notes, which were accepted as lawful money and a legal tender for public and private purposes." — Senator Ferry, of Michigan. *Record*, No. 4, December 5, 1873.

The battle of Waterloo closed the continental wars in June, 1815; in August, 1819, the Bank of England notes were at par with gold, and have remained so from that time to this. General B. F. Butler, also, asserted that "since 1843, and after breaking all the merchants, the Bank of England had

three times suspended specie payments, — in 1848, in 1857, and in 1866." This statement was not, it is true, made in the debate, but for ignorance and recklessness was worthy of it. The following, however, is a startling bit of information for the benefit of all future writers on British finance: —

"Great Britain did what the men who control the affairs of this nation seem incapable of doing. Her statesmen, in grappling with a great debt, the fruit of nearly half a century of war, did not hesitate to reduce the interest on her public debt when that debt was found oppressive to her people. Capitalists had driven her to hard bargains in the hour of her extremity. She had issued bonds at as high as six per cent, and she reduced the interest to an average of three per cent, and her consols (consolidated annuities) to this day express the views of her statesmen as to what a nation should do when the question was presented of dividing the burdens of a public debt between labor and capital." — Mr. Holman, of Indiana. *Record*, No. 95, April 9, 1874.

This article must, however, be brought to a close, leaving by much the larger portion of the material gathered for it wholly unused and forever buried in the Congressional Record. As one final example, — as an acme of cant, ignorance, bad logic, and worse taste, — as an illustration of that which has made our Congressional oratory a byword and a laughing-stock, — it may be well to close with this truly patriotic effusion of the most active and earnest of all the friends of "cheap money," — Senator Ferry, of Michigan. Herein the depths are sounded: —

"We know that wages are lower in Europe than in America. We know that more men are compelled there to work for low wages than are here employed. We know that that vast force of low-paid operatives are also the dependents of a formidable array of salaried dignitaries and commercial princes, with titles of dukes, marquises, earls, counts, lords, and barons. We know that the feudal system, so long in vogue there, is the boon of aristocracy and the bane of the masses. We know that its policy is to make the rich richer, and the poor poorer. We know that around every merchant prince, moneyed aristocrat, and landed lord, cluster numberless tenants, serving the purposes of their exacting masters, like so many serfs doing the bidding of their unrelenting chiefs. That this mass of toilers are poorly paid and provided for by weekly, monthly, or yearly stipend, with no thought but work and pay, and the supply of both provided by the

credit of employers, who are the financial centres of those laboring retinues, and use vastly less money than credit, is also well known.

"Here, in a free Republic, fewer men work for wages, and at great deal higher rates. Fewer live on salaries. The large majority of the people are their own operators. They think, devise, and arrange their own pursuits; dependent upon themselves and not upon others. They control and provide for no large dependent communities, and therefore have a restricted credit, and use more money daily than credit. Such an enterprising and active people, made up of nearly as many centres of operation as there are men, educated to individual thought and action by the sovereignty of citizenship and the responsibilities of a free Republic, with no one, from the President down to tide-waiter, wearing any other title but American gentlemen, which nothing can dispossess but conduct of self-election.

"To compare the wants of such an independent, industrial, intelligent, enterprising, well-paid, and inventive people, spreading over a still unoccupied extent, and developing resources of yet untold riches, with nations massed within unyielding boundaries, of limited resources, whose wealth is determined by the products of subsidized nations and cheapened industry; whose people are divided between dependent toil and titled aristocracy, — to make a comparison between two such peoples, for the purpose of fixing the character and volume of the money needed for one, thriving under republican freedom; by enforcing for such the nature and amount of money required by the other, moving under monarchical forms of limited powers and benefits, is such a reversal of the spirit and scope of modern progress as to evoke my unqualified repudiation." — *Record*, No. 70, March 11, 1874.

C. F. Adams, Jr.

Art. VI. — CRITICAL NOTICES.

1. — *Découverte de l'Amérique par les Normands au X^e Siècle.* Par Gabriel Gravier. Paris: Maisonneuve & C^ie. 1874.

M. Gravier's book is the latest addition to the literature of Norse discovery. The dispute which he has undertaken to decide has been long and sharp. Views varying from perfect faith to utter incredulity have been successively put forward. M. Gravier represents one extreme, Mr. Bancroft the other. The Society of Northern Antiquaries in Copenhagen under the guidance of Rafn have given the subject from their standpoint a thorough treatment, and to their labors M. Gravier is chiefly indebted for his materials. On this side of the water, although almost every point in dispute has been the subject of investigation, no full critical examination of the whole subject has yet appeared. Among American authors Dr. Palfrey has on the whole dealt with it most effectively, and his conclusions commend themselves at once as just and reliable. He fails, however, to include — what is all-important — a discussion of the Sagas and of their historical value. If Mr. Bancroft's theory be adopted, the whole matter is much simplified. In the first chapter of his History of the United States Mr. Bancroft gives a few lines to the Norse voyages, and then dismisses them with no further mention. He admits the settlements of the Norsemen in Greenland, which are beyond dispute, but considers the narratives of their more southerly voyages, contained in the Sagas, as relating only to other points on the Greenland coast. The belief that Norsemen ever visited any portion of the United States is dismissed by Mr. Bancroft as due solely to the heated imagination and national pride of the Scandinavian historians.

M. Gravier's book not only gives the other side of the question, but affords the best material for a true understanding of these early explorations. This is due not so much to the light thrown by the author's own suggestions, as to the praiseworthy diligence with which everything bearing on the subject has been brought together. The evidence of Norse visits to the coasts of the United States is of two sorts. The first and best is that of tombs, buildings, inscriptions, or other actual relics. Narratives contained in the Sagas form the second. And here the main point to be determined is the value of an argument which rests upon the Sagas alone.

The subject of M. Gravier's first chapter is the maritime spirit of the Norsemen. This introduction to the argument is happily chosen, since the mere statement of well-known facts is in itself sufficient to create a strong presumption in favor of Norse enterprise. In connection with this spirit of maritime adventure it is important to notice the peculiar class of Norsemen who came to Iceland, to Greenland, and thence to America. In the year 860 Harold Fairhair became king of Norway and wrought a revolution in the existing form of Norse government. All the people were required to become the king's *men* and subjected to the universal rules of the king's service. The petty rulers and great nobles who had been hitherto almost independent of their sovereign, and had served him when they felt inclined or in time of need, were at once levelled to the rank of subjects. Harold laid the foundation of a despotism and began upon the same career of centralization which had in turn brought the Franks, the old Saxons, and the English to the more or less complete loss of their ancient liberties. A large class in the community made a desperate resistance to their new king in defence of their constitutional rights. When the struggle had become hopeless in Norway the king's enemies took to their ships and left their native land to wander over the world. These exiles trusted to their courage and endurance, their long bills and two-handed swords, to convince society at large of the inherent Norse truth that no man has rights who has not strength to defend them. Some went to France, and, unusually favored by fortune, got a rich harvest of convents, and eventually tribute-money and land. Some went to Spain, some to Italy, and some to Constantinople, where numbers of them took service with the Emperor and formed the celebrated body-guard of the Varangians. The Lions of the Acropolis, now guarding the gate of the Venetian arsenal, still tell the story of the Eastern adventurers as they carved it upon them in Runic characters. But the larger number of these exiles preferred their Northern climate. On the English and Irish coasts, in the Orkneys, the Hebrides, and the Faroe Islands they built their strongholds. Sallying forth from these rocky and rugged fastnesses the Vikings swept the seas and made life a burden to all their neighbors, but most of all to their king, Harold. At last Harold's patience was exhausted, and, collecting all his forces, after several desperate sea-fights, he cleared the Northern seas. Just after these battles, Ingolf, in the year 874, settled in Iceland. He was followed in a very short time by more than fifty thousand of his countrymen, who were glad to colonize even Iceland if they could but preserve the rude social forms to which they were attached. The

colonists of Iceland comprised the men who were most essentially Norse. To Iceland we are indebted for the Sagas and the most accurate accounts not only of the early Norse customs, but of archaic Scandinavian law. The flower of the old heathen Norsemen had been transplanted almost intact to Iceland. They were a restless, roving race, fond of their ships, though these were little more than very large open row-boats, in which, trusting to oars and sails, they were always ready to put to sea, with an amiable confidence in bringing up at last on some shore which could not be rougher than their own. Almost every man of any consideration in Iceland took to the sea at some period of his life in search of wealth and fame. Such were the men who, after coming to Iceland, followed Eric the Red to Greenland in the year 983. A glance at the map, and a comparison of the distance between Iceland and Norway with that between Iceland and our own coasts, will furnish a probability that almost amounts to proof of the Norse visits to New England.

In his account of the Southern voyages, M. Gravier has closely followed the translations from the Sagas given by Rafn in the *Antiquitates Americanæ*, which contain everything known to exist that bears upon the subject. A brief review of the principal expeditions, — those supposed to have left traces on the American coasts and those detailed with the greatest minuteness in the Sagas, will put the question in the clearest light.

The first discoverer was Bjarn Heriulfson. Bjarn had come to Iceland to see his father, Heriulf, who had gone to Greenland with Eric. Bjarn, determined to see his father the same winter, started immediately for Greenland, knowing no more than that it was necessary to sail to the west. Driven south by stress of weather, Bjarn sighted several coasts which he felt sure were not those of Greenland. He therefore headed his vessel to the North, and after several days reached his destination. This was in the year 986, and this story of Bjarn is valuable merely as showing that the Norsemen had a certainty of the existence of more southern lands, distinctly not portions of Greenland, and that this knowledge was a natural inducement to further discoveries. About the year 1000, Leif, the oldest son of Eric, was sent from Norway by Olaf Tryggvason to christianize Greenland. Probably Olaf sent the same message to Greenland which he had previously sent to Iceland : that if all Norsemen inhabiting Iceland did not at once become Christians he would kill every one of them he could lay hand upon. An idea of Leif's missionary character may be gained from that of Thangbrand and his friend Gudleif, as pictured in Njal's Saga. The simple words of the

Saga descriptive of Gudleif contain the whole Norse idea of an apostle : " Gudleif was a great man-slayer and one of the strongest of men, and hardy and forward in everything." When Leif had come to his father's house at Brattahlida, he decided that he had better buy Bjarn's boat and go to the south in search of adventure. Leaving Christianity and the two priests he had brought with him in Greenland, Leif started off with a good crew to explore the new land of Bjarn. After some days Leif struck the last point seen by Bjarn before reaching Greenland. This country Leif named Helluland, from the great quantities of rock or slate ; the next point he touched at was a thickly wooded country which he called Markland. Stopping at neither of these places, Leif kept on to the south, and a few days brought him to a cape stretching away east and north. Coasting along the shores of this cape to the southwest, the Norsemen ran their vessel up an arm of the sea, and landing, made a temporary settlement which they called Leifsbudr. Here they passed the winter. In this country Leif found wild grapes in great profusion, from which he christened the land Vinland. Leif is also said to have noted the length of the shortest day in the year, which is stated by Rafn as from 7.30 A. M. to 4.30 P. M. This would fix Leifsbudr in the neighborhood of Providence, Rhode Island. The original Norse is, however, so obscure, and any translation so disputable, that this shortest day has to be rejected as unsafe evidence. After one winter Leif left his settlement in Vinland and sailed back to Greenland, which is the end of Leif so far as America is concerned. He brought back a cargo of rare woods and furs, from which he gained as much profit as he did glory from his explorations. Leif was surnamed the Fortunate from the results of his voyage. In the year 1003, Leif persuaded his brother Thorwald to take Bjarn's boat and go to the south to make his fortune. Thorwald accordingly set forth, and after a good deal of voyaging found Leifsbudr without difficulty. Here he passed the winter. The following summer he made some expeditions in a southerly direction, discovering nothing more important than a long island stretching away to the west. After another winter at Leifsbudr, Thorwald started for home, keeping along the shores of the cape running east and north. On the extremity of this cape Thorwald stranded his vessel. He named the spot Cape Kiarlarnes, or Keel-Cape. Having repaired damages, he turned west and soon made land. The point they reached so pleased Thorwald by its appearance, that he expressed a wish always to live there. In the evening a party of nine natives, or Skrellings, as the Norsemen called indifferently all inhabitants of America, came off in

their canoes. Eight of these Skrellings were seized by the Norsemen, and as life had been comparatively tame of late, apparently for sheer amusement they cut the throats of the unfortunate savages. The one Skrelling who escaped aroused his people, and in the morning they came off in their canoes in great numbers and attacked the Norsemen with showers of arrows. The savages were beaten off, but in the affray Thorwald received a mortal wound. While dying he remarked, with true Norse coolness, that he was likely to remain some time at the place he had admired so much the day before. His companions obeyed his request to be buried there, and, erecting two crosses over his grave, they called the point Cape Krossanes, and returned to Greenland.

In the year 1007, Thorfinn, a rich and noble Norwegian, set sail from Greenland for Vinland. Thorfinn took with him his wife Gudrida, the widow of Thorstein, Eric's third son, who had perished the year before in an abortive attempt to reach Vinland. This expedition was the most important and best organized of which we have any knowledge. Besides Gudrida, five other women accompanied the party. There were several ships and a number of cattle, so that it is fair to infer that Thorfinn contemplated colonization. Passing Helluland and Markland, the expedition reached Cape Kiarlarnes. They followed closely the shores of this cape to the south, and entered a large bay, which, from its numerous currents, they called Straumfjord. In the southern portion of the bay they visited a large island, which they found covered with sea-fowl's eggs. To this island they gave the name of Straumfey. On the shore of Straumfjord they wintered, and suffered much from failure of their provisions, due to their own improvidence. In the spring Thorhall with some of the party deserted, but Thorfinn kept on to the south, and running up a river at a place which he called Höp or Hope, he founded Thorfinnsbudr. The scheme of colonization failed, owing, apparently, to continual conflicts with the natives. After two winters Thorfinn returned to Greenland with all his party. To this expedition the carving on the celebrated Dighton Rock is attributed. Several other expeditions of little moment are narrated in the Sagas, and told at length by M. Gravier.

M. Gravier's next division is devoted to the still more southern expeditions of the Norsemen, — expeditions to any part of our coast from New York to Florida. All these narratives, except that of Hervador, even as told by M. Gravier, are worthless for any historical purpose. Hervador, as M. Gravier tells the story, sailed up the Potomac, got into a fight with the Skrellings, and one of the women

of the party was killed and buried there. An inscription commemorative of "Syasi the Blonde," was carved on the rock above her tomb, in which were deposited coins, ornaments, etc. All this took place not far from Washington, in the neighborhood of Great Falls.

The other facts on which M. Gravier rests this part of his argument are the so-called "Old Mill" at Newport, the statements of Adam of Bremen and Ordericus Vitalis, and the stories told by the Recollet monk Leclerq, an early missionary to the Gaspesian region, as to the *crux immissa*, the ideas about creation, the forms of prayer, etc., which he found among the natives.

To take up the first class of evidence, the actual relics of the Norse visits, it is as well to begin with the expedition of Hervador and the tomb of Syasi the Blonde. This whole story is a pure fabrication, beginning with the Skalholt Saga, from which it is said to have been taken, and including the coins and ornaments found in the grave. Six or eight years ago a Mr. Cowan, then a young lawyer in Washington, conceived and executed this historical hoax. Professor Henry, in the forthcoming Report of the Smithsonian Institution, apropos to scientific hoaxes, uses the following conclusive language in regard to it: —

"Among these imitations, within a few years, the most successful, and one which evinced considerable reading, was that of the pretended discovery of a series of Runic inscriptions on the face of a rock in the Potomac River, near Washington. This was the invention of a young student of law in this city; it was copied in various ethnological journals, and was hailed by the Scandinavians as a new evidence of the explorations of the Northmen in the United States."

This certainly puts to rest Hervador's expedition, and relegates it to the region of forgeries. It is valuable on two accounts, — as showing the harm that lies of this nature may do, and as pointing the moral so necessary for all students of history, to begin by doubting everything.

The quotations from Adam of Bremen and Ordericus Vitalis, although important, are useful only in confirmation of the Sagas. They serve to show the belief of their age in a large country named Vinland, existing somewhere near Greenland, in the far West. The "Old Mill" at Newport is worthless as a proof of anything. It may have been a baptistery built by the Normans, as M. Gravier would have us suppose, or it may have been anything else. The only absolutely certain fact is, that it unfortunately possesses round arches, which have served to support many theories, among others M. Gravier's. Dr. Palfrey has proved, in the first volume of his History

of New England, so far as anything can be proved about the building, that it was nothing but a mill built by Governor Benedict Arnold about the year 1675. The ingenuity and fairness of Dr. Palfrey's argument ought to set the matter finally at rest; but it is to be feared that the "Old Mill" will always serve as an excuse for the wildest speculations from that large class ever eager to find wonders instead of simple and natural explanations. As to the *crux immissa*, the Gaspesian prayers to the sun, and apparent knowledge of Noah, a careful examination of them warrants their rejection, if not as mere imaginings of the Recollet monk, at least as worthless material for history. There is another relic of the Norse described by M. Gravier in connection with Thorwald's expedition. About the end of the last century, according to M. Gravier (his authority is given as a gentleman bearing the well-known name of Smith), a tomb constructed in masonry was discovered on Rainsford's Island in Boston Harbor. In this tomb were the remains of a skeleton and the iron hilt of a sword, which M. Gravier says was pronounced by connoisseurs (probably M. Smith) to be of workmanship anterior to the fifteenth century. This tomb and its contents may be safely pronounced as pure a fabrication as the story of Hervador and Syasi the Blonde. A full account of Rainsford's Island is given in Mr. Shurtleff's work.* No mention is there made of any such tomb. Nothing can be found in regard to it in the records of the Massachusetts Historical Society. Yet there is possibly a distant foundation in fact for the supposed tomb of Rainsford's Island. M. Gravier thinks that the skeleton said to have been found there was that of Thorwald, and it may be strongly suspected that this is but a reappearance of the unhappy warrior who has figured so prominently in literature, from Longfellow's "Skeleton in Armor" down through many archæological papers. M. Gravier treats also of the so-called "Skeleton in Armor" in connection with the Saga of Freydisa. These remains were discovered on digging away a bank near Fall River. Portions of the body were in a good state of preservation. There were also several brass arrow-heads of superior workmanship besides the armor on the skeleton. This armor consisted of a breastplate and a belt of brass tubes curiously linked together, not unlike mail in its general construction, together with armlets and anklets made in the same way. Everything there found was placed in the museum at Fall River, and was destroyed by fire some years ago. It is a loss much to be regretted, as

* A Topograpical and Historical Description of Boston, Chap. XLI. By Nathaniel B. Shurtleff. Printed by request of the City Council.

these were almost the only ante-Indian relics of New England. A good account of the discovery of this skeleton is given in the Massachusetts Historical Collection,* written in 1837, while all the circumstances of the discovery were still fresh. One passage seems worth quotation : —

"That the body was not one of an Indian, we think, needs no argument. We have seen some of the drawings taken from the sculptures found at Palenque, and in those the figures are represented with breastplates, though smaller than the plate found at Fall River. On the figures found at Palenque, the bracelets and anklets appear to be of a manufacture precisely similar to the tubes just described."

The skeleton was certainly not that of an Indian, and as certainly not that of a Norseman. Even M. Gravier is obliged to say that the Northern Society of Antiquaries have suspended judgment, but think the remains *may* be those of an Indo-Scandinavian. M. Gravier, however, contents himself by saying that certain other skeletons found near by, of which nothing is known by any one but himself, were those of the companions of Freydisa. It ought, perhaps, to be explained that Freydisa was the illegitimate daughter of Eric, a young woman of very warlike propensities, who had accompanied Thorfinn to Vinland. She subsequently made a second expedition in partnership with two brothers, Helgi and Finnborgi. On arriving at Vinland she murdered her two partners, and, taking possession of the vessel and cargo, returned to Greenland. Of course, M. Gravier's duty was to find the remains of Freydisa's victims, — a matter easily accomplished.

But one more supposed Norse relic and then we get to the simple stories of the Sagas, without any corroborative tomb or inscription to support their statements. This last relic is the celebrated Dighton Writing Rock, which has been the subject of almost as much contention as the "Old Mill." Two distinct and opposite views have been put forward as to the writing. The Danish *savans* affirm the existence of Runic characters. All the best American authorities agree that the figures are wholly of Indian workmanship. The first drawing of the inscription was made as early as 1680, by Dr. Danforth. In 1830 the Rhode Island Historical Society, at the request of the Royal Society of Northern Antiquaries, examined the rock and had drawings made. These, together with all earlier drawings, were forwarded to Copenhagen, and published by Rafn in a series of plates. The difference between each and all of these reproductions

* Massachusetts Historical Collection, pp. 123 – 125. By J. W. Barber. Worcester. 1844.

is thus very strikingly shown. The Danish *savans*, Rafn and Magnusson, relying on the drawing of the Rhode Island Historical Society, translated a portion of the inscription as follows: "One hundred and thirty-one men of the North have occupied this country with Thorfinn." Not content with this they went still further, and endeavored to give a meaning to all the other figures on the rock. In the drawing which they used, figures closely resembling the Roman numerals CXXXI., the exact number of Thorfinn's men, are undoubtedly indicated. Certain figures like the Latin, or, according to Rafn, the Latin-Gothic letters of Thorfinn's name, are apparent in this same drawing. If it is added that the position of the rock on the shores of the river is favorable to the Norse theory, we have the entire case as made out by Rafn and his supporters.

On the other side the weight of authority is very strong. Many good drawings and careful examinations of the rock have been made, frequently by persons eager to support the Scandinavian view, and all have arrived at one conclusion, — that the rock is of purely Indian origin. One of the best was that of Edward Kendall, Esq., drawn in 1807 for the American Academy of Arts and Sciences. Mr. Kendall also made a report in which he said: —

"It is not a monument of the Phœnicians nor of the Carthaginians, etc.; but it is a monument of the sculpture of the ancient inhabitants of America, whether Narragansetts or others." *

Probably the best drawing ever made was the work of naval engineers, under the direction of Commodore George S. Blake of the United States Naval School, sent by him with a report to the American Antiquarian Society. Mr. S. F. Haven, in presenting this drawing to the society, said: —

"It is a singular fact that of all the various copies thus far taken no two are alike; and the diversity is in some cases very extreme." †

Schoolcraft gave great attention to this question. When Rafn's book appeared, Schoolcraft submitted the plates of the Dighton Rock to Chingwauk, an Algonquin chief, who interpreted them as commemorative of an Indian battle at Berkeley. The Algonquin rejected a number of figures as inexplicable. The figures thus rejected happened to be those principally used by the Danes. Schoolcraft felt that his theory of an Icelandic inscription being mixed up with the Indian one was established. Nevertheless, at that time even he was obliged to confess that "The letters appear-

* Proceedings of American Antiquarian Society, October 21, 1864.
† Ibid.

ing in the Rhode Island Historical Society copy, as published at Copenhagen, are either unprecise or wholly wanting."* A more careful examination some years later convinced Schoolcraft of the error of this first theory. He had the rock daguerreotyped, and the preparation of the rock's surface which this involved proved to him that it was a complete Indian inscription with no admixture of foreign work. In his second report on it he says: —

"The former (Dighton Rock) is a well-characterized pictographic inscription due to the Indians; the latter (the 'Old Mill') an economic structure, built, probably, after the landing of the Pilgrims, or in the reign of Charles II."†

Of late years the rock has been examined by Dr. Samuel A. Green and Dr. Jeffries Wyman. In their opinion, also, it is of Indian origin. Dr. Green, in a report to the American Antiquarian Society, gave it as his opinion that the Dighton Rock was carved by Indians, as well as the pictured rocks of Tiverton and Portsmouth Grove, copies of which were examined in vain by Rafn. Dr. Green thought, all were probably cut by the same tribe which formerly peopled that region. Dr. Augustus C. Hamlin, of Maine, a member of the Society of Northern Antiquaries, is probably almost the only Runic scholar who has examined it. He had given much attention to the numerous pictured rocks scattered over the eastern portion of this continent, and had no difficulty in identifying that at Dighton as an example of the ordinary Indian pictographs. Dr. Hamlin endeavored to take a plaster cast of the Dighton Rock, and unfortunately failed, but his examination satisfied him that there were no Runic characters. Against such a preponderance of evidence the Dighton Rock has no chance as a Norse relic. It must take its place simply as an interesting specimen of rude Indian art.

This concludes the first class of evidence, — that of relics, — and narrows the argument down to the Sagas. There are certain facts to be mentioned, however, before the Sagas are taken up. These facts are, the daring maritime spirit of the Norsemen, their settlements and explorations in all parts of Greenland, their knowledge of a country to the south called Vinland, and their treatment of Vinland as a region quite distinct from Greenland. Join to these facts the narratives of the Sagas, which are in this case historical records, and

* Historical and Statistical Information respecting the History, Condition, and Prospects of the Indian Tribes of the United States. Under the Direction of the Bureau of Indian Affairs. By Henry R. Schoolcraft. Vol. I. p. 111.

† Ibid., Vol. IV. p. 117.

a tolerably complete proof of Norse visits to the United States is attained. The failure to perceive the weight of the argument thus constructed has usually arisen from a misconception of the nature of the Sagas. The popular idea is, that these are a collection of wild, poetical Norse legends, very little to be depended upon for historical purposes. Mr. Charles W. Dasent, the best Icelandic scholar to-day in England, distinguished as the editor of Cleasby's "Icelandic Dictionary," and as the translator of the Sagas of Gisli and Burnt Njal, gives in his Preface to the latter work the best description of this Northern literature. To quote his own words:—

"What is a Saga? A Saga is a story or telling in prose sometimes mixed with verse. There are many kinds of Sagas of all degrees of truth. There are mythical Sagas in which the wondrous deeds of the heroes of old time, half gods and half men, as Sigurd and Ragnar are told as they were handed down from father to son in the traditions of the Northern race. . . . . These are all more or less trustworthy, and in general far worthier of belief than much that passes for the early history of other races. Again, there are Sagas relating to Iceland, narrating the lives and feuds and ends of mighty chiefs, the heads of great families which dwelt in this or that district of Iceland. These were told by men who lived on the very spot, and told with a minuteness and exactness as to time and place that will bear the strictest examination."

Further on, at page viii, he says: —

"But it is an old saying that a story never loses in telling, and so we may expect it must have been with this story; for the facts which the Saga-teller related, he was bound to follow the narrations of those who had gone before him, and if he swerved to or fro in this respect, public opinion and notorious fame were there to check and contradict him."

And in a note on page ix: —

"There can be no doubt that it was considered a grave offence to public morality to tell a Saga untruthfully. Respect to friends and enemies alike, when they were dead and gone, demanded that the histories of their lives, and especially of their last moments, should be told as the events actually happened."

It ought to be added that all the Sagas were reduced to writing soon after the Change of Faith, which occurred about the year 1000. Thorfinn's Saga, from which these narratives are principally taken, must have been composed about the year 1007, when Thorfinn returned to Greenland. In this case, therefore, there was little or no oral transmission; the Saga was probably written out soon after composition. The Sagas may then be accepted as authentic historical records. A detailed examination of them would result in almost

complete proof of Norse visits to America. Such an examination would be impossible within the limits of a notice, but some of the most striking portions are worth attention. If one takes a map of North America, it will be seen at once that a vessel starting from Cape Farewell and steering almost due south would make the coast of Newfoundland, possibly Labrador. The first land made by the Norsemen after leaving Greenland was Helluland, distinguished by its rocky appearance, like the northern Newfoundland coast. Farther to the south, the next shores would be those of Nova Scotia, a thickly wooded country, and called by the Norsemen Markland. Several days of open water and Cape Cod or Cape Kiarlarnes would be reached. The description of this cape in the Sagas, where it is frequently mentioned, corresponds perfectly with Cape Cod. The features of the shores are accurately described, — long stretches of flats, and sand dunes rising up behind them. To the south of this cape a bay was entered by the Norsemen, and named from its numerous currents, for which Buzzard's Bay is remarkable. The large island covered with the eggs of sea-birds lies in the southern part of this bay. The long beaches of Martha's Vineyard and Nantucket are famous to-day, as in the tenth century, for large quantities of sea-fowl's eggs. In this country wild grapes grew in great profusion. Even supposing great changes of climate, this fact may be fairly taken to exclude Greenland and Labrador, in both of which countries wild grapes would be an anomaly. Grapes do grow, however, in Rhode Island. Examples might be multiplied. It is a very strong case of cumulative evidence. Vinland must have been some portion of the eastern coast of the American continent. Nothing is then more likely than that the Norsemen visited New England. The descriptions in the Sagas coincide exactly with the southeastern coast of Rhode Island and Massachusetts. The Sagas are in the main certainly accurate and truthful. If these premises are admitted, and it seems impossible to deny them, the visits of the Norsemen are sufficiently well proved. It seems unnecessary to state a proposition which appears so obvious; but when the Norse visits are rejected *in toto* by so high an authority as Mr. Bancroft, it is not, perhaps, altogether useless to insist upon this evidence. That the Norsemen ever emigrated to America and settled there in large numbers, as M. Gravier would have us believe, seems as unlikely as the opposite theory, that they never came at all. Probably a number of roving expeditions touched on the New England coast. It is to be doubted if they ever went farther south. These expeditions were probably frequent, and as they came for cargoes, they may have been in the

habit of staying a year or so at a time. This is all that can be affirmed with any certainty. It ought to be said that this is substantially the same conclusion as that reached by Dr. Palfrey. It is also substantially the same conclusion as that reached in the notice of a book by De Costa, which appeared in this Review for July, 1869. This notice was a valuable contribution to the subject, except as to the Sagas, and perfectly just. The writer says, however, that the Sagas are not literally exact, and ridicules any attempts at identification of the places named in them with points on the Rhode Island coast. The Sagas are in the main exact, according to Mr. Dasent, and the identification of various places is often so obvious that it affords fair evidence to support the argument drawn from these sources. One important point is made in this notice which offers strong proof of the value of the Sagas. The Sagas of Thorfinn and those of the sons of Eric are of unquestionably distinct origin, and yet they agree in many of the minutest details.

Turning now to the other portions of M. Gravier's book, the reader is uncertain whether he is not reading one of M. Jules Verne's entertaining stories instead of a grave archæological treatise. Three more series of expeditions are described. One seems more wonderful than the other, and all of equal value. The first is an account of the voyages of two Italian brothers, the Zenos, who sailed in the service of the Sinclairs, lords of the Orkneys. This narrative is a confused jumble of geography, etc., rather imaginative, but hardly worth printing. The opinion of Dr. Forster, cited by Belknap, that the places visited by the Zenos were only various portions of the Orkneys, Faroe Islands, and the Hebrides, is perfectly satisfactory.* The second series comprises the tradition of Madoc-ap-Owen. Madoc's voyages to and from America were about the year 1170. The songs describing these voyages were written by Meredith, a Welsh bard who lived about 1477. The translation is preserved in Hakluyt,† and was first published by him in 1589, from a history of Wales published a few years earlier by Dr. Powel. It is also given by Belknap, who concludes that, —

"Perhaps the whole mystery may be unveiled, if we advert to this one circumstance, the time when Hakluyt's book was first published. National prejudice might prevail, even with so honest a writer, to convert a Welsh fable into a political argument to support, against a powerful rival, the claim of his sovereign to the dominion of this continent."‡

This is certainly the natural conclusion which any one would draw.

* Belknap's American Biography, Vol. I. p. 73.

† Hakluyt, Book III. Chap. XXI. § 1.

‡ Belknap's American Biography, Vol. I. p. 66.

The story as given by Hakluyt is vague, contradictory, and confused, and in the second paragraph of the account he naively says: "This land must needs be some part of that country of which the Spaniards affirm themselves to be the first finders since Hanno's time." This particular passage is due to Humphrey Lloyd, the original translator of the story from Caradoc's Welsh history. Dr. Palfrey speaks of it as a curious tradition with, perhaps, some truth in it, and refers to Catlin's opinion that among the Mandans there were traces of the Welsh language. With all due deference it must be said that the tradition of Madoc-ap-Owen is about as worthless an old story in itself, and as open to suspicion, as any historical imposition. This story of Madoc M. Gravier unites in a very ingenious manner to what is one of his most extraordinary theories.

Hvitramannaland or Whitemensland, as treated by M. Gravier, may be considered as a bit of purely original work. Hvitramannaland, called also by the Norsemen Great Ireland, may be briefly defined as meaning all the territory lying between New York and Florida. The white men from whom the land was named were, according to M. Gravier, large numbers of highly civilized Irishmen, who had come to America shortly before the Normans, and settled there. The facts adduced by M. Gravier to prove the existence of a large Celtic population on our southern coasts are few, but conclusive. The principal argument is, that a Norseman named Ari Marson was wrecked somewhere on the coasts of America in the year 983. This, it should be borne in mind, was three years before it was even known to the Norsemen that there was any country to the south of Greenland. Indeed, Greenland itself was only discovered in 983. Nothing was heard of Ari Marson for some time, but when news was received, it appeared that he had been wrecked among a Christian people, who had baptized him, and among whom he had become chief. He was seen by Thorfinn Sigurdson, Earl of the Orkneys, and by others of his countrymen, for communication between Ireland, Iceland, and the country of white men was continuous. The whole story is vague. The only fact given directly in the Saga is ruinous to the theory that Ari Marson was wrecked in America. The distance from Ireland to Whitemensland is stated in Rafn's translation of the Saga thus: —

"Sex dierum navigatione versus occidentem ab Irlandia." *

If the average duration of a voyage to Whitemensland from Ireland in the vessels of that period was six days, it is a fair presumption that Ari Marson was much nearer his home than he would have

* "Antiquitates Americanæ," p. 211. Hafniæ. 1834.

been in any portion of the United States. Probably Marson was wrecked on the coast of Ireland, but it is all mere conjecture. The next story is that of Bjarn Asbrandson, who was forced to fly from Iceland, and of whom nothing was heard for many years. One Gudleif was driven by storms on a coast which he supposed to be that of America. The natives were commanded by a chief who appeared to be of Norse origin, and who made inquiries of Gudleif of such a nature that he concluded at once that this was Bjarn Asbrandson. Gudleif also fancied he detected Irish in the language of Bjarn's followers. The third proof of Hvitramannaland cited by M. Gravier is, that two Skrelling children picked up by Thorfinn on his way back to Greenland said that a land inhabited by white men was supposed by the Skrellings to exist in the south. All three of these stories are taken from Sagas, and are simply vague. They merely contain glorious possibilities. But M. Gravier turns them into valuable data, and clinches his argument as to Great Ireland by an authority of his own devising. This authority is no less a person than Madoc-ap-Owen, who, M. Gravier says, certainly would never have left Wales and started off in a westerly direction without feeling sure that he was going to a country well known to, and inhabited by, the kindred Irish race. M. Gravier is constrained to admit that the kinship between the Gaelic and Indian languages has not been entirely made out. Advocates of the Welsh theory and of Whitemensland as peopled by Madoc's followers have not been wanting in this country. Catlin thoroughly believed that he had found the posterity of Madoc among the Mandans. Mr. Haven, in the "Archæology of America," gives at length the adventures of Stuart and his party who are said to have found Welshmen among Western tribes. If any one, philologist or not, examines Catlin's conclusions, principally based on linguistic resemblances, they will probably perceive at once the extreme weakness of the argument.

To refer once more to the official work on the Indians published by Schoolcraft, we find it there said in regard to the Celtic remains in this country, that, —

"The discovery of a Welsh element in the Indian languages is wholly without proof of a philological character. . . . . Hasty observers may have been easily mistaken by accidental analogies of sound, in hearing languages so strange to European ears as Indian; and we feel assured that in the present state of the knowledge of the principles of the Indian languages in the United States there has not been the slightest discovery of Welsh or any other form of Celtic." *

* Historical and Statistical Information (see *ante*), Vol. IV. p. 118.

These fancied philological resemblances, the discovery of a much-disputed Celtiberian inscription in one of the *tumuli* of Ohio, and a tradition of the Florida tribe of the Shawanees that their ancestors were white, and came over the sea, together with the fable of Madoc-ap-Owen, comprise everything which goes to prove the existence of Whitemensland.

But one more chapter and one more theory of M. Gravier's remains. It is impossible to do justice to the grandeur of this conception in an abbreviated form; to fully appreciate it, one must turn to the original. The outline, however, may be indicated. As set forth there by M. Gravier, the Norsemen settled in large numbers in Vinland. From various causes these settlements did not prosper, and a general migration to the West took place. The Norsemen moved slowly west and south, enslaving all the nations they met, and forcing them to build the great mounds of Ohio and the Mississippi Valley. That these mounds are of Norse origin is proved by their general resemblance to the so-called Danish mounds of Ireland and Norway, and, M. Gravier might have added with justice, to all other mounds. Setting to the south, the Norse tide of emigration swept over Mexico. Thus are the Mexican ruins very comfortably accounted for. Still moving southwards, the Norsemen entered Brazil. Their presence here is more satisfactorily proved than anywhere else. The ruins of an ancient city were lately discovered in the province of Bahia. Among these ruins was the statue of a man pointing with his forefinger to the North Pole. The Norse race had a monopoly of the North Pole. Nothing more need be said to prove that they built this city and resided in Brazil. No reference is made to Peru, and it seems rather hard that all the ruined temples and palaces of that country should be left out in the cold. Surely it would have been an easy task, the Vikings once in Brazil, to get them over the mountains and into Peru. One point in all this is unsatisfactory. We are not told what finally became of all the Norse. Perhaps they degenerated into the effeminate races found by Cortes and Pizarro. Perhaps they evaporated. Either hypothesis will answer.

It is never safe to laugh at any one's theories on such a subject as the ancient races which once peopled North and South America. Where there is so much obscurity, any speculations, honestly called so, are admissible. They are a quite harmless form of imaginative work, and may give amusement and stimulate inquiry. But the construction of a historical theory is quite another affair. In the latter case the reasoning ought to be close and strictly warranted by facts. M. Gravier is a striking example as a victim of a bad system. He is

evidently a hard worker and thoroughly in love with his subject, as shown by the publication of this book at his own expense, — no slight undertaking. Yet his book is almost valueless beyond calling attention to an interesting field of investigation. A theory has evidently been preconceived, and then all the scattered facts have been collected with much labor and fitted in to suit this theory, or, more properly, this speculation. The arguments are terribly illogical, and the gaps jumped over to reach conclusions are distressingly wide. M. Gravier needs a course of German reading in order to learn method. Ability is not wanting in France any more than in England or America, but defective method has been the cause of much poor historical work, both French and English.

It is to be hoped that continued investigation and fresh discoveries may soon throw more light on the obscure history of the great building races which once peopled both the southern and northern portions of the American continent. The roving visits of piratical Norsemen form a small point in our history; but some knowledge of the race now extinct, which once peopled this country and possessed so much civilization and intelligence, would be invaluable.

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2. — *A. Schwegler's Römische Geschichte.* Fortgeführt von Octavius Clason. Vierter Band [der Fortsetzung Erster Band], vom Gallischen Brande Roms bis zum ersten Samniter-Kriege. Berlin: Verlag von S. Calvary & Co. 1873. 8vo. pp. xxviii and 428.

Professor Schwegler, of the University of Tübingen, author of the well-known History of Philosophy, died in 1857, leaving unfinished a history of Rome of great and peculiar merit. Its author was not a specialist in Roman history, in the sense in which Mommsen, Peter, Ihne, and Lange are specialists; but possessing a wide learning, a remarkable power of combination and analysis, and a clear, calm judgment, his plan was to produce a work which should be an encyclopædia of its subject, bringing together all the facts and all the leading theories in regard to it, and weighing the theories with the impartiality of one who was himself no theorist. Such a work must necessarily be on an enormous scale, and no wonder its author died with his task scarcely begun. He left three thick volumes, reaching to the threshold of authentic history, the capture of Rome by the Gauls. What dimensions his work would have attained, could he have lived to complete it, it is impossible to conjecture. It is, at all events, a matter of congratulation that his clear eye and steady hand can guide

the inquirer through the mazes of that period where such a help is most needed; and it has not seemed at all likely that any one would be found to continue the gigantic undertaking.

A continuation has nevertheless been undertaken, and its first volume, on about the scale of Schwegler's original work, lies before us. It possesses certainly sufficient merit of its own to entitle it to a welcome from all interested in Roman history; the question is, How far does its author succeed in doing the work which his predecessor began? Here we will indicate three principal points of difference between them. In the first place, Dr. Clason lacks the remarkable perspicuity of style which characterized Professor Schwegler; one not infrequently finds it hard to guess precisely what he means to say. In the second place, where the original work gave full citations, the continuation gives nothing but bare references. This may not necessarily be a defect. Certainly it reduces the bulk very materially, and that is a consideration of some weight, in so extensive a work. It does, however, completely change the character of the treatise. The first three volumes are by themselves sufficient for the student; the passages from ancient writers are quoted with such fulness, as proof or illustration of statements in the text, that the student rarely has occasion to go to the original authority to test a point. The book is a library by itself; and, if we could conceive of such a case, a person taking a sea-voyage, or camping out in the Adirondacks, might if he chose make a thorough *study* of early Roman history from just these three volumes. Now, the new volume would be far from serving the same end; the student must have his Livy, Dionysius, and Cicero, nay, his Aulus Gellius, Festus, and Siculus Flaccus, in short, every author referred to, if he wishes to follow up special points of inquiry.

A third point of difference is in regard to the general view taken of Roman history. Schwegler was, as we have remarked, under the dominion of no theory. In general he was a disciple of Niebuhr, and the chief defect of his treatment is his incapacity to do justice to later writers of original genius, — Huschke, Rubino, and Mommsen, — as compared with the more special followers of Niebuhr, — Göttling, Becker, and Lange. Belonging to the Tübingen school, he carries to an extreme the sceptical method of interpreting the ancient records; in both respects, as a follower of Niebuhr, and a thinker of "advanced" views, he is an ardent advocate of the plebs as against the patricians. Now this is not having a theory; it is simply accepting the prevailing theory, which happened to coincide with his own mental tendencies.

Here Dr. Clason takes issue with him. Accepting the recent results of K. W. Nitzsch (Römische Annalistik), — one of the most impor-

tant of which is that our chief authority for the early history is not the records of the [Patrician] College of Pontifices, but of the Plebeian Ædiles, preserved in the temple of Ceres, and that these records present a one-sided plebeian view of the early struggles, — he is disposed to vindicate the patricians, where we are in the custom of taking sides exclusively with the plebeians. He disclaims every idea of doing this as a partisan. We are accustomed, he says, to look only at one side; but the other side has something to be said for it as well. The two orders were, he says, "two competing elements with equal rights, whose struggle and conflict must, to be sure, necessarily advance the plebeian rights, but at the same time, as a retarding force against the plebeian claims, did the state a great service, and in a high degree aided in strengthening its position." (*Vorrede*, p. xv.) These two elements he happily characterizes (p. 26) as "one which has received a natural development, and one which is receiving a natural development (den natürlich gewordenen und den natürlich werdenden)."

This is a correct and instructive view, so far as it goes; we need to be reminded that "the right of authority and tradition is also a natural right developed out of relations imposed by nature, not an artificial and forcibly established one. "(p. 26.) This point needs, however, a little further analysis. We know very well that, as a matter of fact, present "authority and tradition" — say American slavery, English land monopoly, the Turkish rule in Constantinople — are artificial creations of force and injustice. How did the prerogatives of the Roman patricians differ in this respect? Because, as has been pointed out, the Roman patriciate was formed by a natural development. It is not, then, universally true that authority and tradition possess a natural right; it is true only when, as in this case, it has been developed by a natural process.

But the struggle in this case was deeper than merely between a system which had been developed by a natural process, and one which was in process of development; it was between a mature and developed organism and a destructive, disorganizing force. The movement which overthrew the political supremacy of the patricians was typical of the great movement to which society in its entire career has been subjected, — the substitution of individualism for organism. The most fundamental principle established in the domain of primitive institutions by the investigations of Bastian, Maine, Lubbock, Morgan, and others of the present generation, is the highly organized character of the earliest institutions, as outgrowths of the family; the individual being completely merged in the organization. The history of society has consisted essentially in a gradual disintegration of these organisms,

which has resulted in placing the individual man as its unit in their stead. It was then with the clear-sightedness of genius that Calhoun struck at the vital feature of modern democracy, in urging the claims of political organisms against numerical majorities; and it was with no mere dull conservatism that men of masculine intellect, like Lord Eldon, clung to the rotten-borough system, as being, in their eyes, a part of an organic whole; strike out that abuse, and the whole system will go, — as has turned out to be the case.

Now the Roman patriciate was a body which had been formed by a natural process of organic growth; the plebs was no organism at all, but an unorganized mass. It contained, it is true, organic elements, in the rural plebs, and to a certain extent in the clients; it had formed itself into an independent organization within the state, but this organization was artificially created, not naturally developed. The plebeian families copied the gentile institution of the patricians (which some of them no doubt possessed from the first); and they formed the Italian custom of auspices into a system analogous to that which was under the charge of the College of Augurs; for all this, it was with no mere high-born arrogance that the patricians denied to the plebeians the possession of both gens and auspices. No doubt the force which overthrew the patrician predominance was an irresistible one; no doubt too any further maintenance of this predominance would have been equally unwise and unjust. We do not say that the benefits of the disintegration do not far outweigh its evils; nevertheless it is at best a destructive process, and the patricians were perfectly right, from their point of view, in resisting a reform that subverted the very foundations of their political system.

We have not space to enter into the detailed examination of Dr. Clason's book. Its importance consists, as we have shown, not so much in these as in the fact that it looks at the early history of Rome from a new point of view. As a continuation of Schwegler's great work we cannot regard it as a success, for the reason that it does not do the same special service for students; as an original and interesting treatment of its subject, it deserves attention and consideration.

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3. — *La Démocratie en France au Moyen Age.* Par F. T. Perrens. Ouvrage Couronné par l'Institut. (Académie des sciences morales et politiques.) Paris. Librairie Académique. Didier et C^ie^, Libraires-Éditeurs. 35 Quai des Augustins. 2 vols. 8vo.

To the student of political history there are few periods more interesting than the fourteenth century. Although reckoned as belonging

to the middle age, it is a century which has little sympathy with the feudalism and ecclesiasticism that characterize the middle age proper. With the three prominent names which mark its commencement — Edward I. of England, Philip the Fair of France, and Pope Boniface VIII. — we associate a strong reaction against this earlier feudalism and ecclesiasticism, and the opening of an era in which industry, jurisprudence with its applications to constitutional law, a rude beginning of natural science, and a secular literature, take the place of the all-engrossing theology of the earlier times. Even theological speculation entered upon a new stage at this epoch, and Wiclif and Huss were but representatives of a controversial movement in the Church which preceded them by some generations, and was the fore runner of the great division two centuries later. And in secular matters the fourteenth century seems in a remarkable degree to have anticipated, perhaps prematurely, perhaps in the natural course of development, what we are wont to consider the special characteristics of our own day. It was an age of democracy and of revolutions. In this century were the beginnings of Swiss independence and the revolt of Scotland from England; the Hanseatic League, having its seat in the aristocratic republics of Germany, was now at its height; during this century were achieved the emancipation of the serfs, and the municipal revolutions by which the trade-guilds wrested political power from the patrician families; to this century belong Wat Tyler, Philip van Artevelde, and Etienne Marcel.

M. Perrens, favorably known as the author of a valuable monograph upon Etienne Marcel, has recently published a work, the aim of which is to bring the career of this remarkable man into relation with the whole democratic movement of this age in France. It is but one phase of democracy in the fourteenth century; it does not cover the entire ground even of democracy in France, but only the relation of democracy to the central government. It will be remembered that Guizot introduced the seventh lecture of his course upon Civilization in Europe with a comparative view of municipal government in the twelfth and the eighteenth centuries: the one was local self-government, the other consisted in a participation in the national government; and the spirit of institutions had so completely changed in the interval, that neither could have understood the other's claims to be called municipal government. Now M. Perrens's work relates to the series of events which formed the passage from the earlier to the later type of democracy, — a passage which was contemporaneous with and closely connected with the development of nationality and of monarchical power in France.

It will be found therefore to have considerable value in the history of political science. It is often said, and we think with reason, that the fatal defect in the liberal movements of the French is indicated by precisely this contrast pointed out by M. Guizot, — a defect all the more fatal because Frenchmen themselves, even this acute and liberal writer, appear wholly ignorant that it is a defect, treating the change as rather a development than a deterioration. M. Perrens, especially in his earlier work, shows indications of understanding the disastrous nature of this transformation; but in the present work it is hardly brought out at all. In brief it may be thus described: in the twelfth century France, like England (and in certain respects in an even higher degree than England), possessed a decentralized, local self-government; at present the French definition of democracy is not the right of a community to govern itself, but the power to govern others.

The democratic movement sketched in these volumes began with the great revolutionary crisis of 1355 – 57, and ended with that of the "Cabochiens" in 1413, after which, as the author sagaciously points out, all national efforts were merged in the great struggle against the invaders, — or, as he expresses it, the ruin of democratic tendencies was wrought by the progress of patriotism. This revolution of 1413 is the most striking and novel portion of the work to those who are already familiar with the greater events of 1356, and at any rate its treatment, in these pages, strikes us as more adequate and complete; partly because the author had already had his say upon the earlier epoch, partly because even in his former work he does not seem to us to go to the bottom of the causes which led to the failure of Etienne Marcel.

It was, we believe, Augustin Thierry who first called attention to the vital importance of this constitutional movement of 1356, and who vindicated the character of its great leader against the prepossessions of history. "This fourteenth-century *échevin*," he says, "by a remarkable anticipation, wished and attempted things which seem to belong only to the most modern revolutions." (*Hist. du Tiers État*, p. 39.) In truth, the measures enumerated by M. Thierry are sufficiently startling, in their analogy to those of the great Revolution; but for our purposes the true point of comparison is not with later French movements, but with the development of English liberties. The States-General of 1356, under the lead of Etienne Marcel, aimed to make France a constitutional monarchy, such as England already was; why did they fail, where the English Parliament had succeeded?

However minutely we might enter into constitutional details on this head, we think it would, in the main, resolve itself into the general fact, which strikes the most superficial reader of M. Perrens's book. The movement had no bottom to it. One feels all along that Marcel and his coadjutors were contending against odds, arising from the very nature of the constitution under which they were acting. The very completeness of the authority exercised by the Norman and early Angevin kings of England was the source of the subsequent infringement of royal prerogative. Under them we find the whole country of England embraced in one system of administration, subjected to one rule of justice, and its several parts co-ordinated with one another in a degree marvellous at that time. When Parliament came into existence, there was no looseness or indefiniteness as to its organization; the writs ran alike to every sheriff, and ordered "de comitatu prædicto duos milites et de qualibet civitate ejusdem comitatus duos cives, et de quolibet burgo duos burgenses . . . . sine dilatione eligi": if there was in practice any irregularity, it was not the fault of the system, but of the sheriffs or the cities themselves. Thus the whole kingdom, and, what is more, by united and organized action, was in condition to engage in the contest against prerogative. A second point of hardly less importance is, that the representative branch of Parliament consisted not merely of the industrial classes, — citizens and burgesses, — but embraced also the landed interest, — the knights of the shire or lower nobility, and, by a most significant and salutary provision, that these knights of the shire represented, in all probability, not merely the landed aristocracy to which they belonged, but the whole body of freeholders, great and small. In this way the agricultural interest was associated with the commercial and manufacturing interests.

Look at France, on the other hand. Here the lower or untitled nobility, as in all the countries of the continent of Europe, were classed, not with the commons, but with the barons. The *Tiers-État* therefore represented only the cities, having no connection with the landed interests. Again, it was not every civic community that was represented, but only a certain number of privileged towns. This was precisely opposite to the English rule. In England every city and borough had a *right* to be represented; in France certain cities received the *privilege* of representation. There was no national system. Indeed, the representatives deliberated and voted by provinces, instead of as a nation. England had the good fortune, of which France failed, that her national unity was attained at the expense of neither local nor national liberties.

We see then, in part, how it came that the revolution of 1356, as every one since, was made, not by the French nation, but by the city of Paris. The history of democracy in France, narrated by M. Perrens, is to all intents and purposes the history of democracy in Paris. There were, to be sure, other cities engaged in the movement, and other leaders, — as especially Robert Le Coq, Bishop of Laon; but they merely labored in the train of Paris and its Provost of the Merchants. The English Revolution of 1640 — the one to which most nearly corresponds, in its aims, this of 1356 — was hardly at all under the influence of London. It was the whole nation — peer and peasant, city and manor — that fought for the liberties of all. In France it was the *roturiers* of a few cities, with Paris at their head; we may admire their disinterested devotion, but we cannot help seeing that the cause was lost from its beginning.

It is sometimes said that this revolution failed for the same reason as so many similar attempts in France, — because it aimed to accomplish more than was then practicable; because it was under the control of abstract theories, instead of being directed against definite and concrete abuses. We do not think that this was the case in any material degree. Undoubtedly rather larger reforms came first and last within their plans than England, for example, has secured by any one step. But we must remember that although the actual net results of the English revolution of 1640 were moderate, yet that the revolution itself went to nearly as great theoretical lengths as the French revolution of 1789, being preserved by special causes from the horrors of that event. The Fifth-Monarchy men are theoretically fit peers of the Jacobins. And if we compare the Great Ordinance of 1356 with either Magna Charta or the Bill of Rights, we shall admit that it deserves to be classed with them as a dignified, conservative document, whose aims were strictly practical and practicable. What is most remarkable is that the "Cabochiens" of 1413 — who stood to Marcel and his fellows very much as the Jacobins did to the Girondins — not only committed no excesses, but actually brought about (though but for a short time) a series of reform measures distinguished for moderation and statesmanship.

It should be remarked that this work is a prize essay; the subject having been given out by the Académie des sciences morales et politiques in 1869, and the judgment pronounced in 1871.

4. — *Memoirs of John Quincy Adams, comprising portions of his Diary from* 1795 *to* 1848. Edited by CHARLES FRANCIS ADAMS. Vol. I. Philadelphia. J. B. Lippincott & Co. 1874.

THE first instalment of this long-expected Journal has at last appeared. During the lifetime of Mr. John Quincy Adams, it was generally understood that he had been in the habit of keeping a daily record of his life from a very early date, and a natural curiosity was felt to know what was in it. The story ran that he had directed its publication to be delayed for twenty years after his death, which naturally only whetted the desire to see it. Mr. Charles Adams makes no mention in his Preface of any such injunction, and very likely it had no foundation. There is certainly nothing in this volume that might not have been published in Mr. Adams's lifetime. His strictures on the conduct, and his comments on the characters, of his contemporaries, during the period of which it treats, are all within the just limits of fair criticism, and most of the subjects of them had long preceded him to the other world. But it is quite likely that, as the story approaches later times, his strong opinions may have been so strongly expressed as to make the interposition of a generation of years between their recording and their publication a matter of wise expediency, if not of necessity.

We apprehend that the first feeling of the readers of the Journal will be one of disappointment. And this partly from this very absence of strong personal criticism as well as of gossiping anecdotes of society and manners. Indeed, the general reader hardly knew what to expect; and when the book so long looked for was actually before him, it was hardly possible that it should not fall short of his indefinite anticipations. But this was very unreasonable. Any one who had any knowledge of Mr. Adams, either personally or by authentic description, would expect to find very much what he meets with in the pages of his Journal. A serious narrative of the events of each day with solid comments upon them, sketches of his studies, glimpses all too few and too brief at his domestic interior, occasional sittings in judgment upon himself, in which he shows small mercy to what he esteems his moral or intellectual shortcomings,— these, it might have been foreseen, would have made up the daily record of the days of such a man. The Journal is certainly not an entertaining one, but to our sense it is deeply interesting as a picture of the daily inner and outer life of so eminent a man. Indiscretion and thoughtlessness are essential elements of an entertaining journal.

The writer must have amusing things to tell, and be entirely unscrupulous in the telling them. Either he must believe that no other eyes than his will ever read what he writes, or he must not care whether they do or not. The moment the thought of what other people may think of what he says occurs to him half the grace is gone. It is the same with letter-writing. We shall have no more of the exquisite letters of former days. The careless graces, the delightful nothings, the airy gossip, the delicious trifling, the commonplaces stamped with immortality, the tiresome and the stupid whom genius has preserved in its own amber for our diversion, — it will be a lucky chance if we ever have them again. Every one who knows or believes that posterity will care anything about him, feels that posterity is looking over his shoulder as he writes. It will be the worse for posterity. We should never have had Madame de Sevigné or Lady Mary or Cowper, had they suspected us of doing anything of the kind. It is needless to say that Mr. Adams's Journal is marked by none of these excellent qualities of carelessness, indiscretion, recklessness, and levity. We fear he began rather early to believe that he was providing materials for the history of his time. Such as he has given us, let us take it as it is and be thankful.

There is something curiously interesting in the process by which Mr. Adams was fitted for his career in life. Nothing could well be further removed from the ordinary preparation of men regularly educated for professional and public life, unless it were from that of the fearfully and wonderfully "self-made" men with whom the inscrutable dispensations of Providence have visited our afflicted country in these latter days. His political education may be said to date from the day his mother led him up Penn's Hill to hear the cannonade of Bunker's Hill and to see the smoke of Charlestown relieved against the blue sky of that summer's day. Nothing could well be more desultory, apparently, than his strictly literary education, from the morning he embarked in Nantasket Roads for Europe with his father when eleven years old, in 1778, until he went to Harvard in 1786. But the authority of his father and the influence of Franklin doubtless helped to form those habits of application and that love of study which enabled him to make good the deficiencies of his actual teaching by a true self-education. There is something in his boyish and youthful career singularly interesting. Arriving in France on the first of April, 1778 (which the types have changed to 1779), he narrowly escaped seeing Voltaire, and did actually see Marie Antoinette in the full pride of her beauty, about the time when Burke saw in her the loveliest vision that ever lighted on this planet. And he lived

in daily communication with Franklin, with whom, at a later day, he used to play billiards every morning. Mr. Adams's schooling was soon interrupted by his first return to America, and, though resumed on his father's speedy resumption of his functions, lasted less than six months at Paris. Four months at the Latin school of Amsterdam and five at the University of Leyden comprised the whole of his regular teaching until he went to Cambridge in 1786. When fourteen years old, his diplomatic education began under the eye of Mr. Dana, afterwards the Chief Justice of Massachusetts, at St. Petersburg, to whom he acted as secretary at that early age, his familiarity with the French language well qualifying him for the duties of the post. After leaving St. Petersburg, in 1782, he acted in Paris as an additional secretary to the Commissioners who were negotiating the Peace of 1783. The extracts from his Journal at this time, when he was but sixteen years old, are of the true nature of good journalizing, and we are sorry that the editor has not given us a great many more of them.

When his father was appointed minister to England, young Adams came to the wise determination of returning to America, which he expresses in terms which show the early maturity of his judgment: —

"After having been travelling for these seven years almost all over Europe, and having been in the world, and among company, for three; to return to spend one or two years in the pale of a College, subjected to all the rules which I have so long been freed from; then to plunge into the dry and tedious study of the Law for three years; and afterwards not expect (however good an opinion I may have of myself) to bring myself into notice under three or four years more; if ever! It is really a prospect somewhat discouraging for a youth of my ambition (for I have ambition, though I hope its object is laudable). But still

'Oh! how wretched
Is that poor Man that hangs on Princes' favors'

or on those of anybody else. I am determined that so long as I shall be able to get my own living in an honorable manner, I will depend upon no one. My Father has been so much taken up all his lifetime with the interests of the public, that his own fortune has suffered by it; so that his children will have to provide for themselves, which I shall never be able to do, if I loiter away my precious time in Europe and shun going home until I am forced to it. With an ordinary share of common sense, which I hope I enjoy, at least in America I can live *independent* and *free;* and rather than live otherwise I would wish to die before the time when I shall be left to my own discretion. I have before me a striking example of the distressing and humiliating situation a person is reduced to by adopting a different line of conduct, and I am determined not to fall into the same error." — p. 21.

Returned to America, he soon entered Harvard University at the last term of the Junior year, and virtually stood at the head of his

class at its graduation in 1787. The authorities of the College, doubtless thinking it hard that a youth who had borne so light a part of the burden and heat of college life should supersede the one who had endured the whole and would regularly have received the English Oration, which was the highest academic honor, introduced the innovation of a Second Oration, which was assigned to Mr. Adams, an arrangement which probably satisfied all parties. After graduating and studying the law, he opened an office in Boston and awaited the advent of clients. As his leisure was not much more disturbed by the *turba clientium* than that of young lawyers generally, he luckily turned it to the best account for his future success by writing political articles for the newspapers. The newspapers of those days were small and few in comparison with those of the present day, but their actual influence and practical importance were much greater. Dr. Franklin, somewhere speaking of the multiplication of newspapers in this country during his lifetime, says with obvious satisfaction that, at the time he wrote, there were not less than *twenty-five* newspapers printed in the United States, — a number which he thought would supply the necessities of the country for many years to come. Droll as such a statement may seem to us now, it is not doubtful that the positive influence of the periodical press of eighty or ninety years ago was greater on the public mind of that day, than that exercised on the opinion of to-day by our contemporary prints, whose name is Legion. Thomas Paine (commonly called of men Tom) had just published his once famous "Rights of Man" in England, as a reply to Burke's "Thoughts on the French Revolution," and it had been reprinted in Philadelphia with the emphatic indorsement of Mr. Jefferson. Mr. Adams made this work the occasion of a series of articles in the "Columbian Centinel," signed "Publicola," and afterwards discussed the various political topics of that exciting time, when the French Revolution was in full and fiery blast, under the signatures of "Marcellus" and "Columbus." The first-named series of essays in particular excited great attention, not only in this country but on the other side of the Atlantic, having been reprinted in London, in Glasgow, and in Dublin. And it is a curious circumstance that these last-named editions were never known to the writer, nor to the editor until seventy years after their publication, when he accidentally met with copies during his diplomatic residence in England. These political writings changed the course of his future career, as they were the occasion of his first introduction to the public service before he had completed his twenty-seventh year.

For President Washington had been so much struck by their merit

that in May, 1794, he sent in to the Senate the name of John Quincy Adams as minister to Holland, without consultation with his father, then Vice-President. No doubt this appointment was due in part to a wish on the part of General Washington to gratify his friend the Vice-President, but it certainly never would have been made had he not been fully satisfied of the fitness of the young diplomatist for the post. Mr. Adams's Journal describing his visit to Philadelphia to procure his credentials, dining in New York on the way in company with Talleyrand, and afterwards in England *en route* for the Hague, is animated and entertaining, and carries us along with him as a journal should do. In London he of course forthwith visited Mr. Jay, then engaged in negotiating his famous treaty. There he was astonished by a piece of news, indeed of an astounding nature. He says: —

"....Mr. Jay asked me whether the death of Robespierre was known in America before I sailed. I repeated with utter astonishment, 'Robespierre dead!' more times than was perfectly decent, and could scarcely believe I had heard right, until he assured me very seriously that about six weeks or two months since Robespierre, with a considerable number of his partisans, were accused, tried, condemned and executed by a party of Moderates who had succeeded to his power."

Alas, the ocean telegraph, which tells us everything the moment that it happens, if not before, has made impossible any such delightful surprises to us! The period on which Mr. Adams's mission to Holland fell was almost precisely that of the French occupation by Pichegru. His presentation to the Stadtholder was almost immediately followed by the flight of that prince, and his subsequent transactions were with the authorities of the Batavian Republic, the name under which the old United Provinces were permitted to disguise from themselves the humiliating fact that they were virtually but a department of France. His Journal, during the whole of his Dutch residence, though it records no affairs of particular consequence with which he had to do officially, is very good reading as a running commentary on current events, and a description of the diplomatic and private society of Holland. In October, 1795, Mr. Adams was directed by the Washington Administration to go over to London to exchange the Ratifications of Jay's Treaty. Owing to various delays he did not arrive in season to perform this duty, but he was received by Lord Grenville and presented at Court as Minister Resident at the Hague. For some reason, it is not very clear what, unless it were the belief that so young a diplomatist might be easily manipulated, Lord Grenville wished Mr. Adams to assume the character and func-

tions of minister to St. James's. Of course, nothing of the sort could be done, and when it was certain that he could not be used for whatever object the attempt was made, his treatment became less and less flattering. Lord Grenville forgot his first engagement to present him at Court, which could hardly be well-pleasing to the carnal man of Mr. Adams. The following brief entries tell the story of his interviews with royalty. He goes to the levee on the 9th of December, 1795, and he tells the rest of the story thus: —

"After the Levee was over I was introduced into the private closet of the King by Lord Grenville, and, presenting my credential Letter, said, 'Sir, to testify to your Majesty the sincerity of the United States of America in their negotiations, their President has directed me to take the necessary measures connected with the Ratifications of the Treaty of Amity, Commerce, and Navigation concluded between your Majesty and the United States. He has authorized me to deliver to your Majesty this Letter, and I ask your Majesty's permission to add, on their part, the assurance of the sincerity of their intentions.' He then said, 'To give you my answer, Sir, I am very happy to have the assurances of their sincerity, for without that, you know, there would be no such thing as dealings among men.' He afterwards asked to which of the States I belonged, and on my answering, Massachusetts, he turned to Lord Grenville and said, 'All the Adamses belong to Massachusetts?' To which Lord Grenville answered, they did. He enquired whether my father was now Governor of Massachusetts. I answered, 'No, Sir; he is Vice-President of the United States.' 'Ay,' said he, 'and he cannot hold both offices at the same time?' 'No, Sir.' He asked where my father is now. 'At Philadelphia, Sir, I presume, the Congress being now in session.' 'When do they meet?' 'The first week in December, Sir.' 'And where did you come from last?' 'From Holland, Sir.' 'You have been employed there?' 'Yes, Sir, about a year.' 'Have you been employed before, and anywhere else?' 'No, Sir.'" — pp. 162, 163.

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"17th. Went with Mr. Cottrell to the Drawing Room. Presented to the Queen as Minister Resident of the United States of America at the Hague. Asked me how long I had been in Holland, and whether I was any relation to the Mr. Adams that was here some years ago. The King asked me whether our winters were not more severe than they are here." — p. 165.

. . . . .

"*January* 13th, 1796. Attended the Levee. Saw Mr. Morris there. Heard of Mr. Pinckney's arrival. Mr. Hammond at the Levee too. The King did not speak to me. My reception at Court this day contrasted completely with those on former occasions, when I was to be cajoled into compliance. I valued it much more highly; it flattered my pride as much as the former fawning malice humbled it."

"14th. Morning papers say that I took leave of the King at the Levee yesterday, introduced by Lord Grenville, and that I am upon my return home. I suppose it is meant as a hint to me to go away. I can certainly

henceforth do no good here. But I cannot well go without receiving further orders from home." — p. 167.

He had, however, some more amusing experiences in London than his dealings with royalty and the Foreign Office. He seems to have improved his opportunities to see the good acting at Drury Lane and Covent Garden in those best days of the London stage. Mrs. Siddons, John Kemble, Mrs. Jordan, Jack Bannister, Dicky Suett (here misspelt Swett), Munden, Quick, some of them the Old Actors whom Charles Lamb has made immortal, made a pleasant variety after the talks with Lord Grenville and Mr. Hammond, his under-secretary, not long returned from this country to which he had been the first and most unpleasant British minister. Who knows but Charles Lamb, with his sister Mary, may have fought his desperate way to the Shilling Gallery on one of those nights, an unsuspected immortal? Here is another noticeable morning soon after his arrival: —

"Mr. Deas and Mr. Bayard called at about twelve. Went with them and Mr. Vaughan to see Mr. Ireland, and saw several of his manuscripts which, he assures, have been lately discovered, and are original from the hand of Shakespear? They are deeds, billets, a love-letter to Anna Hatherwaye with a lock of hair, designs done with a pen, a fair copy of Lear, three or four sheets of a Hamlet, and a tragedy, hitherto unknown, of Vortigern and Rowena. The last we did not see, as unfortunately some company came, to which Mr. Ireland was obliged to attend, and we accordingly took our leave. The marks of authenticity borne by the manuscripts are very considerable, but this matter will be like to occasion as great a literary controversy as the supposed poems of Rowley and those of Ossian have done. They will be published in the course of a few weeks; and the play of Vortigern is to appear upon the Drury Lane stage. Sheridan has given five hundred pounds for it." — p. 133.

The editor is mistaken in the opinion he expresses in a note to this passage, that "this literary imposture, like that of Chatterton, has passed into oblivion with later generations." On the contrary, a fac-simile edition has just been published in New York, by Mr. J. W. Bouton, with an introduction by that eminent Shakespearian scholar, Mr. Richard Grant White. And it is scarcely fair to class the bungling forgeries of Ireland, which have nothing to recommend them but their impudence, with those of "the marvellous boy who perished in his pride," which have established themselves by their genius in the permanent literature of the language.

One thing in particular struck us as remarkable in reading the Journal of Mr. Adams's residence of nearly six months in England, and that in a recognized diplomatic character, that he seems to have

received almost no civilities from those in authority. He mentions no invitations to dinner or attentions of any kind, and it does not appear, from what is given us, that he ever met, or even saw, the great men of that interesting period. He hardly could have made the acquaintance of such men as Pitt and Fox and Burke and Sheridan and Windham and Grey and Erskine, without making some record of the circumstance, and if he had, his son would hardly have omitted the passages in this work. The unpleasant inference seems to be inevitable that the United States, and they that represented them, occupied but a small space in the thoughts of English public men, excepting under the pressure of actual business. The only person of any importance with whom he is recorded as having dined was worthy Sir John Sinclair, of agricultural and statistical memory, the correspondent of Washington and a steady friend of America. The account is perhaps worth extracting. It is a little curious that Mr. Adams seems never before to have heard of Count Rumford, considering he was a countryman of his own, and had been somewhat notorious during the Revolution, though on the wrong side, both in the cabinet and the field.

"22d. Went with Dr. Edwards, and dined with Sir John Sinclair. The company were a Captain Sinclair, Dr. Percy, Mr. Boswell (not Peter's Bozzy), Sir John McPherson, a Count Rumford, heretofore known by the name of Sir Benjamin Thompson, Mr. Marshall, and Arthur Young, both writers on subjects of Agriculture, and one or two other gentlemen unknown to me. The convivial hours of scientific men are known to be little more instructive than those of humbler pretensions. The conversation was miscellaneous: philosophical, political, and literary. We had some bread made of one-third rice and two-thirds wheat, which I could not have distinguished from fine wheat bread; some water impregnated with fixed air, &c. The Count, who wears a blue ribband, and who has doubtless made philosophy a means for his advancement, told me that he had met with nothing that flattered him more than his having been elected as a member of the American Academy of Arts and Sciences; that he had taken it as a very honorable testimony of the liberality of Americans, and that he retained a great regard and attachment to that country. He mentioned his design of applying a sum of money, the interest of which is to be made an annual premium to be given by the American Academy for the best paper on the subject of Light and Heat. He has applied a similar sum for the same purpose to the Royal Society, of which he is also a member. Sir John McPherson and Dr. Percy made a number of very sensible observations. They both declared their opinion that the manuscripts of Mr. Ireland were unquestionably genuine, but they both expressed an opinion as to the composition of the small papers, and particularly of that called the profession of faith, higher than I think they deserve. Mr. Young appeared neither more nor less than a thick-and-

thin political partisan, and such as might be expected from his last pamphlet, — somewhat dogmatical and impatient of contradiction. Sir John Sinclair himself was more politically reserved."

But we must hasten on. Returning to the Hague in May, 1796, he remained there until July, 1797. In the interval his father had been elected President, and they both seem to have felt a very unnecessary delicacy — quite incomprehensible to their more robust successors — about his continuing to hold his office under these changed circumstances. But General Washington removed their scruples by a letter to President Adams strongly urging him to retain and promote his son in the diplomatic line, adding, "I give it as my decided opinion that Mr. Adams is the most valuable public character we have abroad, and that he will prove himself to be the ablest of all our diplomatic corps." In the summer of 1797, having just made the fortunate marriage which was the chief happiness of the rest of his life, he received from his father the appointment of minister to Prussia, and forthwith proceeded to Berlin, where he remained until the defeat of his father, and the accession of Mr. Jefferson in 1801. He negotiated a satisfactory treaty with Prussia, the one made by Frederick the Great having expired by its own limitation. Here he was in constant association with diplomatic and native society of higher rank and more public and social consequence than that he had fallen in with in Holland. The most interesting among these was Mr. Hugh Elliot, the eccentric and witty English minister who had had the rare satisfaction of snubbing the great Frederick to his face. As when the king, by way of affront to England, sent a minister of a rank and character quite beneath what a great power had a right to expect, and sneeringly asked Mr. Elliot what was thought of him in England, he replied, "A fitting representative of your Majesty!" *Comme digne représentant de Votre Majesté!* And when Frederick asked him insultingly who this Hyder Ali was that was beating you English so badly in India; he answered, "Sire, he is an old despot who has plundered all his neighbors, but who, thank God, is beginning to dote!"* Elliot said it was a revenge worthy of Satan. This is his own explanation of an act of which he has usually had to bear the blame.

"Paid a visit to Mr. Elliot. Found him confined with a headache. Had a long conversation with him. In the course of it he took occasion to speak of the robbery of Arthur Lee's papers during the American war, which has

* *Sire, c'est un vieux despote qui a pillé tous ses voisins, mais qui, Dieu merci! commence à radoter!* See Lady Minto's entertaining Life of him.

always been imputed to him. He declared solemnly that he did not order it; that it was entirely the work of a servant, through whom the papers were brought to him. He did not read them; that the only papers of consequence he found were the draft of an unfinished Treaty with Spain, and a letter from Frederic the Second, or one of his Ministers, promising, if any other power would set the example of acknowledging the independence of the United States, that he would be the second to do it. He was very much offended at the transaction, and Mr. Elliot was obliged to send the man who had committed the robbery privately out of the country."

Mr. Adams spoke of Mr. Elliot with more freedom than in his Journal in a series of private letters which he wrote to his brother when on a tour in Silesia, which were printed in the Portfolio of Joseph Dennie at Philadelphia, and afterwards reprinted in England, and translated into French and German; and not only the English minister, but sundry other of his acquaintances, learned what he thought of them through this unauthorized publication. The editor tells us, however, that these parties either bore no malice, or had forgotten the circumstance when he met them twenty years later.

When the election of Mr. Jefferson was ascertained, President Adams recalled his son from Berlin, who soon established himself as a practising lawyer in Boston. He was at the ensuing State election placed in the Senate of Massachusetts, and was a candidate for Congress the year after, without success. The voting was very close in those days in the Boston District, which then included a large part of Norfolk County; and Dr. Eustis, afterwards Secretary of War and Governor of Massachusetts, had carried it for the two or three previous terms. Mr. Adams had, however, to encounter some share of the prejudice felt by the Federalists against his father; and he had injured himself politically, undoubtedly, by proposing in the Senate, when the election of councillors came on, to give some of them to the Democrats. This not only helped his defeat as Representative, but made his election as United States Senator, the next year, hang long in the balance. At the seventh ballot he had 86 votes out of 171, being the exact number necessary for his election. His Journal when in Washington testifies to the diligence with which he attended to his public duties, with occasional glances at society and individuals. Mr. Jefferson comes in for his share of these notices. Of course, there could be no cordiality at first between Mr. Adams and his father's successful competitor, but the civilities of formal intercourse were observed. He dined at the White House one day, and made this note of the conversation with the President: —

"I had a good deal of conversation with the President. The French

Minister just arrived had been this day first presented to him, and appears to have displeased him by the profusion of gold lace on his clothes. He says they must get him down to a plain frock coat, or the boys in the streets will run after him as a sight. I asked if he had brought his *Imperial* credentials, and was answered he had. Mr. Jefferson then turned the conversation towards the French Revolution, and remarked how *contrary to all expectation* this great *bouleversement* had turned out. It seemed as if everything in that country for the last twelve or fifteen years had been A DREAM; and who could have imagined that such an *ébranlement* would have come to this? He thought it very much to be wished that they could now return to the Constitution of 1789, and call back *the Old Family*. For although by that Constitution the Government was much too weak, and although it was defective in having a Legislature in only one branch, yet even thus it was better than the present form, where it was impossible to perceive *any limits*. I have used as near as possible his very words; for this is one of the most unexpected phases in the waxing and waning opinions of this gentleman concerning the French Revolution."

These were curious admissions from the reputed godfather of the National Assembly and the enthusiastic sympathizer with the French Revolution. Mr. Adams continues: —

"He further observed that both French and Spanish ought to be made primary objects of acquisition in all the educations of our young men. As to Spanish, it was so easy that he had learned it, with the help of a Don Quixote lent him by Mr. Cabot, and a grammar, in the course of a passage to Europe, on which he was but nineteen days at sea. But Mr. Jefferson tells large stories. At table he told us that when he was at Marseilles he saw there a Mr. Bergasse, a famous manufacturer of wines, who told him that he would make him any sort of wine he would name, and in any quantities, at six or eight sols the bottle. And though there should not be a drop of the genuine wine required in his composition, yet it should so perfectly imitate the taste, that the most refined connoisseur should not be able to tell which was which. You never can be an hour in this man's company without something of the marvellous, like these stories. His genius is of the old French school. It conceives better than it combines." — pp. 316, 317.

At another time he records of Mr. Jefferson: —

"His itch for telling prodigies, however, is unabated. Speaking of the cold, he said he had seen Fahrenheit's thermometer, *in Paris*, at twenty degrees below zero; and that, not for a single day, but that for six weeks together it stood *thereabouts*. 'Never once in the whole time,' said he, 'so high as zero, which is *fifty* degrees below the freezing point.' These were his own words. He knows better than all this; but he loves to excite wonder. Fahrenheit's thermometer never since Mr. Jefferson existed was at twenty degrees below zero in Paris. It was never for six weeks together so low as twenty degrees above zero. Nor is Fahrenheit's zero fifty degrees below the freezing point." — pp. 330, 331.

The Journal when in Holland tells a story of Mr. Jefferson, which is perhaps characteristic enough of his eccentric philosophy to be inserted here: —

"Cutting told us of Mr. Jefferson's instructions to the traveller Ledyard when he intended to try the passage across from Kamschatka. He was to carry nothing with him, no instruments, no books, nothing that could possibly tempt the avidity of a savage; but he was to keep the journal of his travels by pricking it with thorns upon his skin. He had a scale of a foot marked out with Indian ink, in inches and lines, upon his arm, between the elbow and the wrist. If he met any remarkable mountain or other object, of which he wished to know the latitude, he was to cut him a stick of three feet long, and in the same spot mark the length of its shadow by the rising and setting sun, and then by the point of intersection drawn from the extremity of the two shadows, he would find the length of the shadow at noon, whence the latitude might be collected. If he came across a river, and wished to measure its width, he was to plant a stick at some station upon the bank, then, with another stick, horizontally level his eye at the opposite bank; after which, turning round his stick and preserving it at the same angle, take a sight with it at some object on the bank where he stood and measure the distance, which would, of course, give him that across the river. Cutting was in ecstasies while he told all this. Poor Ledyard was stopped on his travels at Tobolsk, and afterwards died at Grand Cairo, on another journey into Abyssinia. But had he pursued his northwest road, whatever benefit his success might have procured to mankind, his journal upon his skin would not, I think, have been worth much." — p. 457.

Mr. Adams was not only most conscientiously regular in his attendance at the Senate, but he took a constant part in the debates. As he belonged during the first years of his service to the small minority of the Federalists, his actual influence was not great, and his propositions and amendments generally voted down; but he uplifted his voice on all important questions, although he had himself a very modest opinion of his capacity as an orator or a debater. In view of the great skill he acquired and displayed in his parliamentary career, when he went into the House after losing his election in 1829, it is odd to read such self-lamentations as the following: —

"I felt most sensibly my deficiency as an extemporaneous speaker. In tracing this deficiency to its source, I find it arising from a source that is irreparable. No efforts, no application on my part can ever remove it. It is slowness of comprehension, — an incapacity to grasp the whole compass of a subject in the mind at once with such an arrangement as leaves a proper impression of the detail, — an incapacity to form ideas properly precise and definite with the rapidity necessary to give them uninterrupted utterance." — pp. 331, 332.

And again: —

"My defects of elocution are incurable; and amidst so many better

speakers, when the debates are to be reported, I never speak without mortification. The process of reasoning in my mind is too *slow* for uninterrupted articulation. My thoughts arise at first confused, and require *time* to shape into a succession of sentences. Hence the transition from thought to thought is awkward and inelegant, and expression often fails me to accomplish a sentence commenced; so that I often begin a thought with spirit and finish it with nonsense. The chain of my argument often escapes me, and when lost can seldom be retrieved. I then finish as I can, without producing half the arguments I proposed before I began to speak. These faults would be so overpowering that I should sink into perpetual silence, from mere impotence, were it not that sometimes in the ardor of debate, when my feelings are wound up to a high tone, elocution pours itself along with unusual rapidity, and I have passages which would not shame a good speaker: this is the only thing that makes me tolerable to others or to myself."

No words could better describe the sensations of those persons who feel, like Addison, that they "could draw bills for a thousand pounds, though they have not a guinea in their pocket." And his example may give them encouragement to hope that the mental or physical impediment from which they suffer may not be insuperable, when they consider the marvellous power and skill as a debater which Mr. Adams developed in the great field-days, when he held his own against all comers, and, single-handed, routed the armies of the aliens.

Mr. Adams acted in general with the Federal party till nearly the close of his term. He voted in 1806 for the Non Importation Act, which was the beginning of Mr. Jefferson's war with England by commercial restrictions. It was far from well-pleasing to his political associates, and gave rise to strong suspicions as to his trustworthiness; but it was not received as a final breach with them. This was reserved for his assent to the Embargo Act of December 18, 1807. On that day, famous in our history, Mr. Jefferson sent to the Senate the shortest Message known in our annals, consisting of two sentences, reciting the dangers to our commerce and seamen from the European wars, and recommending "an inhibition of the departure of our vessels from the ports of the United States." The Message and the accompanying documents were referred to a committee, of which Mr. Adams was one. His account of its proceedings, now first known, is as follows: —

"After the papers were read, Mr. Anderson moved their reference to a select committee of five. They were accordingly appointed — Smith of Maryland, Anderson, Bradley, Gregg, and myself. We immediately went into the committee room; and, after some discussion, in which I suggested very strong doubts as to the propriety of the measure, upon the papers sent with the President's message, I finally acquiesced in it, as a compliance with

the special call for it in the message. I enquired whether there were other reasons for it besides the diplomatic papers sent with the message, as *they* appeared to me utterly inadequate to warrant such a measure. Smith, the chairman, said that the President wanted it to aid him in the negotiation with England, upon which Mr. Rose is coming out — and that *perhaps it might enable us to get rid of the Non-Importation Act.* I yielded. But I believe there are yet other reasons, which Smith did not tell. There was no other opposition in committee. Some question was made whether we should report a resolution or a bill. The last was concluded on; and, as we thought it would be necessary to found some other measures upon these papers, we agreed to report *in part.* The bill was reported, and after passing to the second reading, on the motion to read it the second time this day, Mr. White interposed his negative. Smith moved then to suspend the twelfth rule for three days; which was carried. At the second reading the bill was strongly opposed by Messrs. Hillhouse, Sumter, and Pickering; and partially by Mr. Crawford, the new member from Georgia, who wanted time. The yeas and nays were taken three times — at the second reading, twenty-two to seven; on a motion to postpone the third reading until to-morrow, twenty-two and six; and on the passage of the bill, twenty-two and six. On the last two votes General Sumter had left his seat. We sent the bill to the House, and then adjourned. The House did not get through with it this day. It was almost six o'clock when I got home."

The report was made, what debate there was, despatched, and the bill passed through all its stages in four hours from the time the Message was received. Mr. Adams voted with the majority throughout, and supported the measure briefly, as appears from the proceedings of the Senate. "The President," he said, "has recommended this measure on his high authority. I would not consider; I would not deliberate; I would act. Doubtless the President possesses such further information as will justify the measure."

This act separated Mr. Adams at once and forever from the Federal party. It is not easy to imagine the storm of indignation with which his action was met in Massachusetts and wherever Federalism prevailed. Not Tyler, not Johnson, was denounced more bitterly of later days, than was he by the party he had left. His conduct was attributed to the basest and most sordid motives; and many of the leading Federalists never changed their opinions to the end of their lives. This was inevitable, and what Mr. Adams must have known to be so. When any man enters upon a career of political success immediately upon a change of sides, the party he has left will be slow to give him much credit for disinterested public virtue. When Sergeant Copley left the Whigs for the Tories, and proceeded from the Solicitor and Attorney Generalships to the Mastership of the Rolls and the Chancellorship, we apprehend few Whigs doubted that he

had the Woolsack in his eye from the first. So, when his vote on the Embargo led Mr. Adams to Russia and to England, to the Commissionership of Ghent, to the Secretaryship of State, and to the Presidency, there were not many old Federalists who did not believe that the White House was in his thoughts when he first went over to the enemy. Still there were Federalists, even of the straitest sect, who did not join in the cry, and were willing to excuse his course on the ground of a constitutional idiosyncrasy for thinking and acting for himself. Whatever his motives may have been, his vote on the Embargo was what gave him his after-career. Immediately on the accession of Mr. Madison, he received the mission to Russia; then he was made one of the Commissioners who made the Treaty of Ghent, then Minister to England, then Secretary of State, and then President. Had he remained in the Federal party, he could have had none of these good things, and his career would have been confined to Massachusetts, who would doubtless have given him whatever she had to bestow. At this distance of time, however, even those who hold the worst opinion of his motives in 1807, if any such there be, may forgive the commencement of a career without which the world would have wanted the final glory which crowned it. There was not much in the diplomatic or ministerial or Presidential life of Mr. Adams to impress itself upon the imagination and daily memory of posterity. He was a diligent, hard-working, honest man of business, with little to distinguish him from the herd of ministers and secretaries and presidents whom we are already comfortably forgetting. But his public career, culminating in the Presidency, was what made the last illustrious eighteen years of his life possible. His great parliamentary career from 1830 to 1848, when he fell on the field of so many well-fought battles with the slave oligarchy, is what will make his name a household word as long as the Republic endures. But all this belongs to him who shall sum up the history of Mr. Adams when the whole of his Memoirs shall be given to the public.

The mechanical execution of the work is good; but there are altogether too many misprints, which we are willing to accept as a judgment on the editor for having a work of this character and importance published in Philadelphia instead of Boston. E. Q.

5. — *The Public Records of the Colony of Connecticut, from October, 1735, to October, 1743, inclusive, transcribed and edited in Accordance with a Resolution of the General Assembly.* By CHARLES J. HOADLY, Librarian of the State Library. Hartford : Case, Lockwood, and Brainard. 1874. 8vo. pp. 604.

MR. HOADLY prosecutes his undertaking with the same excellent diligence and judgment which produced the former volumes of his edition of the Records of Connecticut. Governor Talcott's administration of seventeen years, beginning in the third year before the accession of the second king of the house of Hanover to the British throne, extended to within two years of the end of the period embraced in the last two printed volumes of these records. It was a period of quiet, prosperity, and contentment. The Colony had no French nor Indian war on its hands. The British government abstained, for the most part, from annoying it. Nobody was rich in it, but scarcely anybody was poor, and those few were attentively taken care of. Through the work-day week, the grown people had all something useful to do, and the children were all busy at school; and the Sundays brought a sufficing screed of savory doctrine from the pulpit in every hamlet. The old hives swarmed, and fifteen new towns were founded within nine years. Meanwhile an intelligent and hearty public spirit prompted and guided the public action. Connecticut did not put off her creditors with any lying substitute for honest money. The deputies took thankfully their *per diem* of seven shillings, and their mileage of three pence, not a man of them dreaming of a "salary grab." As yet "crédits mobiliers" were not, nor any grants of the public indorsement for private financiering. A corporation (the "New London Society") applied to the Colony for a loan. But the Assembly with old-time wisdom "resolved that such a society of merchants, whose undertakings are vastly beyond their own compass, and must depend upon the government for their supplies of money, and must therefore depend on the influence of the government to obtain it, is not for the peace and health of the government."

There was a jealousy of the legal profession, and in the Colony, with a population of some thirty-five thousand souls, the law allowed "eleven attorneys and no more," giving three gentlemen of the robe to one county, and two to each of the others. The young College at New Haven received a patronage bountiful in proportion to the means of the time. Within two years, exemption was granted suc-

cessively to the Episcopalians, the Quakers, and the Baptists "from contributing to the support of the established ministry." But the administration of Governor Law, who came to the head of affairs at the death of Talcott in 1741, did something to reverse the recent tendency to ecclesiastical freedom; for the distinctive characteristics of the original Colonies, New Haven and Connecticut, still survived, and Law, born and bred in the former of them, leaned, as his Hartford predecessor had not done, to an intimate union between Church and State, and a policy of strict coercion for sectaries and innovators. "The Great Awakening," so called, under the auspices of Whitefield and his friends, took place while Law was in office, and — unlike Massachusetts, which allowed the movement to take care of itself — Connecticut used some strong measures against the agitators, restraining their ministers from itinerant services, and expelling from the jurisdiction some who distinguished themselves by special disorder.

It fell to Talcott's lot to give his Legislature a practical lesson as to the paramount claims of public station. His wife died suddenly after a morning's session of the Houses, which had taken a recess till the afternoon. By the Constitution they could not transact business without the presence of the chief magistrate or of his lieutenant, and the lieutenant-governor chanced to be absent and out of reach. So the stout old governor went from his house of mourning, and finished his darkened day in the hall of council. For appearance of reality and heartiness, the proceedings of the government on that occasion compare not ill with more recent mortuary performances of public bodies: —

"May it please your Honor," said the law-makers in an address of condolence, "we, the representatives of the Colony of Connecticut, in General Court assembled, humbly take leave, with one heart and mind, to address your Honor under the sore and awful rebuke of the Almighty, who has, by his holy and wise providence, removed from you that dearest part of yourself, the desire of your eyes, and the greatest comfort of your life, by a sudden and unexpected death; and to let your Honor know that we esteem ourselves sharers in your loss, and afflicted by your affliction, and that we do affectionately condole your Honor's lonely and widowed state, and desire with your Honor to take notice of the divine rebuke, and to quiet ourselves with the consideration that the Almighty Lord of Hosts, all whose works are done in truth, hath done it; and would not complain of, but mourn under a sense of the heavy stroke of his holy hand; especially when we consider the subject of our present mournful meditations in the relation of a worthy consort to your Honor, or that of a mother, a mistress, a Christian friend or neighbor, in all which we should fall short of doing justice to her memory, if

we should fail of pronouncing her to be virtuous, affable, tender, kind, pious, charitable, and beneficent."

And more in the same devout and tender strain; to which the revered mourner replied: —

"To Mr. Speaker and Gentlemen Representatives: —

"As every spark adds to the fire, so every fresh mention made to me of my departed companion is a fresh wound to my bleeding heart; and upon the sight of your address in condolence in the loss of her makes such impressions on me that I cannot express myself, nor speak a word, but only, with a trembling heart and hand, thankfully acknowledge your kind respects and honor done both to the living and the dead. I wish I could, in a more suitable manner, express myself to you on this solemn occasion. I hope that, in consideration of my present pressure of grief, you will cover all my infirmities with a mantle of charity; for I am, gentlemen, yours to serve, in all things that I may, to the utmost of my power."

The entrance of Jonathan Trumbull upon the public service of his Colony falls within the time which Mr. Hoadly has recorded. When forty years more had ripened him, Washington was to learn, to his great content, the quality of the stanch Lebanon deacon, and of his thirty or forty thousand psalm-singing backers. As we had occasion to say, awhile ago,* a genuine chivalry animated that straight-laced form. For blood or bone, we would match Trumbull against any racer of the Revolution; and nobody excelled him as a prompt, precise, painstaking man of business. Whether the General was distressed by want of gunpowder, or the Sound was to be cleared of British ships, or New York Tories needed an application of the strong hand, the exigency always found him wide awake. But till the Virginia chief got used to the solemn Yankee patriot, we can fancy him puzzling over the edifying comments interwoven with the more immediately practical matter of his communications and wondering whether a scrap of last Sunday's sermon had not somehow slid into the governor's despatch. It was not, however, the only time that, to good advantage, sword and Bible have been thrown into one scale.

But of this brave career it is only the beginning that Mr. Hoadly's record as yet comprehends. We wait impatiently the continuation of this most instructive series of volumes. Their interest must increase as they proceed through the thirty years' interval before the outbreak of the War of Independence. The part taken by Connecticut in the romantic campaign at Louisburg comes next in the historical sequence.

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* North American Review, LXXVII. 85.

6. — *A History of Greece.* By GEORGE W. COX, M. A. Volumes I. and II. (to the close of the Peloponnesian War). London: Longmans, Green, & Co. 1874.

MOST readers will be surprised at seeing another History of Greece announced while Grote's name stands high as ever, and Curtius's work is hardly yet digested; and to many the need of another presentation of this theme will not be apparent. It has been, as we gather from Mr. Cox's Preface, chiefly a feeling of dissatisfaction with Grote's treatment of the earlier periods which has induced the author to take up the pen, and he has chosen, instead of treating this portion in special essays, to rewrite the entire history, bringing it at the same time into a more compact form than Grote has done; it will be complete in four volumes, including the mediæval history. The main feature of the work, however, was to be and is the first portions, down to the end of the Persian wars; the history of these times Mr. Cox carefully distinguishes from the rest, laying great stress on the fact that it is traditional, not contemporary.

As might have been expected from the author of the "Mythology of the Aryan Nations," Mr. Cox has approached his subject from a mythological standpoint, just as Curtius from a realistic and archæological one. His aim is to apply to all traditions the touchstone of comparative mythology. Yet very little space is taken up in the present work with the dissection of early traditions. Indeed, the first chapters are remarkable for what they do not contain. Rejecting as he does much material as mythical, Mr. Cox, unlike Grote, does not think it part of the historian's task to take any notice of it whatever. The first book he entitles "The Growth of Hellas." A single short chapter, under the heading "Mythology and Tribal Legends," disposes of all that is in Grote's first volume. After a brief description of the country, and an account of the beginnings of Aryan and Hellenic civilization, he proceeds in a fourth chapter to an enumeration of the tribes of continental Greece at the beginning of the historical period; a fifth treats of Sparta and its early annals; a sixth, of the despots; a seventh, of early intellectual growth; an eighth, of the colonies; the remaining four being the history of Athens down to the Persian wars: all this in 240 pages.

Mr. Cox's attitude toward the early traditions is one of extreme scepticism. Where the stamp of the myth-maker is to be seen, he consigns the whole summarily to cloud-land. Mythological traditions are not, he says, history, "*nor quarries out of which we may dig his-*

tory." Here is precisely the point where Mr. Cox's views will meet with opposition, and where it is safe to predict that a battle will have to be fought between mythologists like Cox and archæologists like Curtius. Before the boundaries of history can be fixed it must be settled whether there be any means of extracting from fabulous traditions the grain of historical truth they may contain. A few words on this, offered in all diffidence. That historical fact *may* form part of any tradition, however strongly tinctured with the mythical, is admitted by every one, even by Mr. Cox. (p. 29.) How floating straws of fable love to gather themselves round a nucleus of fact we may see exemplified in the legends which in the Middle Ages clustered round the persons of Theodoric and Attila. But to detect the presence of fact and separate it from the web of fable is, we are told, hopelessly impossible. Rather, let us say, it is impossible except so far as our search be guided and our results confirmed by other testimony. But assuredly every resource of archæology should be exhausted, all that language, customs, religion, can teach us, must be brought to bear on traditions before the search be pronounced hopeless. And often tradition and archæology may, we believe, be made to confirm and supplement one another, and if both independently point in the same direction, we shall not be amiss in assuming that we have truth before us.

What Mr. Cox thinks of the Trojan war we knew before: he considers it a pure sun-myth. And if Grote pronounced the attempt to discover historical elements in this legend utterly unprofitable, so much the more does Cox do so. And yet there are some curiously suggestive circumstances. First, the thorough localization of the story. The scene is no far-off Aea, whose very name is fabulous, but all the incidents cluster round a certain spot just on the borders of Hellenic territory. What is so likely to have fixed these legends to this particular spot as, I will not say the sack of a real Ilium, but real combats between aboriginal Dardanidæ and Achæan invaders? For if Tell is a myth, yet the long struggle of the cantons for freedom is a reality, and that it is which has caught and localized the legend. Now whom do we find in historic times in close proximity to the Troad but Aeolic Greeks, whose language alone betrays their near relationship to the early Peloponnesians, in other words, to the Achæans, — Aeolians too singularly isolated and out of place? And apart from all tradition it would be no bold guess that they did not gain a foothold there without a struggle. There is then ground for more than a suspicion that the Trojan legends contain just this much truth, that the Troad and the neighboring country was the scene

of an Achæan invasion in which the new-comers established themselves where we afterwards find them.* All this is perfectly compatible with the mythical origin of the story of the Iliad; Achilles and Helen may have lived in song and story long before those conflicts occurred with which they were afterwards connected.

A discussion of these and similar views is justly expected from the historian in the present state of science, and we cannot but think it a serious omission of Mr. Cox's that he ignores all efforts that have been made to glean by these perfectly legitimate means some shreds of fact respecting early Hellenic history. If we find him making too short work of the Trojan myth, yet more indefensible is his way of dealing with the ethnological relations of the tribes and their traditions respecting themselves. Indeed, this is to us the least satisfactory part of the whole work. It is safe to say that if Mr. Cox were as good an antiquarian as he is a mythologist, these chapters would have been very different. Some of his ideas about tribal names contribute no little to the trouble. These ideas had been developed before in his Mythology, and are here repeated in much the same language. He finds that the names Argive, Lycian, Delian, Athenian, and others are significant, and betray their mythical origin, meaning "children of light," "sons of dawn," etc.; hence he infers that these names are worthless as a basis of distinction. "Argives and Athenians, Ionians and Arkadians, may have regarded each other as aliens, but their names have all the same meaning" (*Mythol.*, Vol. I. p. 240), and therefore the names afford no ground of distinction when different, nor cogent reason for identification when alike, as in the northern and southern Achæans and Dorians. (*Hist.*, p. 60.) At least (though Mr. Cox's expressions are not always clear nor entirely consistent), this is what one gathers from the sum total of what is said. Indeed, the author talks in places as if it were the very adoption of these names that made and kept alive distinctions of tribe: "The keen rivalry and bitter feuds which sprung from the centrifugal tendencies of the Greeks were intensified by the multitude of names, which seemed to draw a line of marked distinction between the several branches of one and the same race. By their very names, Ionians, Arkadians, Argives, Delians, held themselves to be distinguished not

* Whether with Curtius we imagine this to have taken place after the Dorian inroad into the Peloponnesus or not, is not essential. There is no difficulty in supposing those colonies to have been the result of previous enterprise, and that, when the bands of discomfited Achæans went afterwards to the Asiatic coast under pressure of the Dorian conquerors, they went to settlements previously occupied by their own kinsmen.

only the one from the other, but more particularly from Dorians, Achaians, Lykians, or Phenicians, and here again these feuds and enmities were fed by mere names." (p. 38, and again p. 148.) Even if there be a grain of truth in these views, they certainly are carried too far. Whatever may have been the original meaning of these names, whatever their original application, that meaning was obscured long before the dawn of the historical period, and no longer felt by the Greeks. Ionian and Arcadian were as distinctly the names of different tribes as Suabian and Saxon, of tribes remotely identical, of course, but who had grown apart; the distinction is no result of the name, but the name was given, or at least fixed in its application, when the difference already existed. The gentile names of other people are of similar materials; but because Saxons were "sons of the Sword-god," Bructeri, "people of light," shall we give up these as distinctive appellations?

Along with these ideas about names, we can hardly be surprised to see a certain vagueness in ethnological notions, both respecting the Hellenes as a whole, and the individual tribes. Mr. Cox fails to give his readers any adequate conception of Hellenic unity, of an actual Grecian people with a national character, religion, and language, connected by a close bond of relationship and conscious of this bond. Though he does in one place speak of the Greeks as "separated by certain strongly marked features from the inhabitants of the countries round them," and admits that "before the dawn of contemporary history a feeling of kinship had sprung up," yet he seems to think this feeling ill-founded, and emphasizes continually the relations of Greeks to other Indo-Europeans as if there were, after all, no real distinction between Greeks and other people. The unsophisticated reader would, we fear, lay the book aside with some such impression as this: that the Grecian people were a fortuitous conglomeration of Aryan atoms which had been wandering about independent of one another in a sort of chaos ever since the dispersion, and finding themselves thrown together in the Grecian peninsula, had deluded themselves into the notion of a specially close relationship, and community of language and religion. Of course, Mr. Cox does not mean to convey this idea, but many of his expressions suggest it.

In the same way the account of the separate tribes is rather vague. Nowhere is any clear statement of what language alone, aside from all traditions and beliefs of the Greeks themselves, shows to be the fundamental divisions of the people, differences traceable too in religion, mental character, political and social institutions: first the dualism (so finely brought out by Curtius, and the key to Greek history),

the deep cleft between Ionians on the one hand and Dorians and Aeolians on the other; then the distinction, less strongly marked but real, between Aeolians and Dorians. In the place of this we have at one time hints that all such distinctions were imaginary and existed only in name; at another time speculations on the possible connection of the Locrians "with the Ligurians of the Gulf of Genoa and the Lloegry of Britain and Gaul." Upon the early movements and migrations of these tribes the author thinks it useless to speculate. "We cannot look to the mythical movements of Aeolians, Argives, or Herakleids as throwing light on the distribution of the Hellenic tribes in historical times." (p. 40.) And again (p. 60): "In this neutral or negative attitude we must look even upon those alleged connections of eastern with western, northern with southern Hellenes." Here again Mr. Cox's caution carries him too far, and he ignores evidence which a careful examination of the geographical distribution of the people in historical times furnishes. We scarcely need tradition to tell us that the Dorians came down from the north and invaded the Achæan Peloponnesus. It is hard to tell whether Mr. Cox believes in the Dorian invasion or not. After such expressions as the last-quoted, and his distinct rejection, in the chapter on myths, of the story of the Heraclidæ, we gather that he does not; but in subsequent pages we find him to all appearances tacitly taking for granted that there was some invasion, after all. Nor is this the only instance in which he leaves us in perplexing uncertainty of his exact meaning.

What the author thinks of Curtius's Ionian theory it is impossible to infer; he mentions it nowhere, and omits all account of the Asiatic Greeks until he comes to speak of the Persian wars. Toward the commonly received story of the colonization of those towns he is sceptically disposed, and probably considers all speculations on the subject fruitless.

Respecting the first book as a whole, we cannot withhold our judgment that it might have been better. Mr. Cox has done well in emphasizing the unsubstantial nature of traditions in themselves. But we regret that he does not perceive the weight of evidence to be drawn from other sources in supplying at least the outlines of the faded picture, and so has represented us as more ignorant of the mutual relations and early movements of the Greek tribes than we really are. For these outlines there is lacking direct historical evidence; yet they rest on firmer foundations than some of the etymologies in which Mr. Cox puts implicit faith.

It is a real pleasure to pass from this to Mr. Cox's chapters on the

Persian wars. An introductory chapter on Herodotus is really admirable. A fairer and sounder estimate of the man we do not know where to find. Mr. Cox sees the germ of the luxuriant growth of personal details which sprung up around the facts of the Persian invasion in the ethical notions of the people, and their habit of recognizing direct supernatural agencies in every event. The great events which had passed before them shaped themselves into a great moral epic; the details were unconsciously moulded and amplified to meet these conceptions. How all this took place necessarily and spontaneously, without the smallest intention or consciousness of falsehood on anybody's part, he illustrates well. No one has insisted more strongly on the honesty of Herodotus. These features of Herodotus's work guide the author in his treatment of this period. He distrusts Herodotus chiefly when the ethical bearing of his tale is plainest. Numerous particulars of Xerxes's march — his hesitation, his blind obstinacy, the conversations recorded, the portents which occurred, the statistics of Xerxes's forces, the whole story of Demaratus — are among the things which betray themselves as inventions. It is very possible that the author's scepticism goes too far sometimes. We do not, for instance, share his great doubtfulness about the canal through Athos. The battle of Thermopylæ he has, we fear, handled too roughly; for, though we admit some of the flaws he points out in the existing account, we believe them to be more superficial than he thinks.

Noteworthy is the author's admiration for Themistocles, in whose treason he refuses to believe, regarding the story of his visit to Susa as a fiction. Pericles it would be impossible to place in a more favorable light than Mr. Cox does. His language almost savors of hero-worship. Pericles's career was cut short; but had he lived to carry through his policy to the end, he would, the author thinks, have guided the Athenian state triumphantly out of the trouble into which he certainly helped to bring it. The disastrous outcome of the war, the demoralization of the Athenian demos, Mr. Cox ascribes to the abandonment of Pericles's principles and policy. The fickleness, vanity, and culpable weakness of that demos in later years he does not palliate. Most of the second volume is taken up with the Peloponnesian war. Here there was less room for originality of treatment; but the narrative is given in a vivid style, which will leave the main features well impressed on the reader's mind.

The tone of the work is, throughout, modest and scholarly; and there is not the smallest attempt to underrate the merit of predecessors, whose works Mr. Cox disclaims, in his Preface, all intention of

superseding. Though it ought in no sense to supersede these, the new book is worthy the attention of scholars; and its moderate compass will recommend it to many general readers to whom the long array of Grote's volumes appears formidable.

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7. — *Truths for To-day spoken in the Past Winter.* By DAVID SWING, Pastor Fourth Presbyterian Church. 12mo. pp. 325. Chicago: Jansen, McClurg, and Company. 1874.

THIS is a second edition, differing from the first in the addition of a new sermon on "A Reasonable Orthodoxy," preached in the course of the author's recent trial before the Chicago presbytery, and a declaration made by him before that body in reply to the charges of Professor Patton.

It is said that Dr. Hodge of Princeton once solemnly declared of the pious Barnes's work on the atonement, that "it did not contain truth enough to save the soul." But at Mr. Swing's trial Dr. Patterson asserted in an able speech that since the union of the Old and New Schools, each having voted that the other was "a sound and orthodox body," "a man may be a good Presbyterian in the reunited church who does not accept the doctrines of reprobation and election and limited atonement and inability and imputation according to the sterner interpretation of them that was given by Calvin and a large portion of the Presbyterian church." (*Chicago Times*, 19th May.) But having sown the winds of uncompromising doctrine and polity, the Old School still reaps an occasional whirlwind of young polemics. And we are glad to have issues as definite as can be made in these indefinite days of the church raised and settled as clearly as compromising majorities ever venture to settle anything. After all, however, the acquittal merely affirmed anew the determination of the New School in favor of what Mr. H. W. Beecher, in a characteristic sermon on the subject, called with approval "a certain elasticity of interpretation." The real battle within Presbyterianism is yet to be fought. There is an opportunity for the synod of Northern Illinois to open it next October. Although Mr. Swing withdraws, his friends are committed to his declaration that "the Presbyterian church permits its clergy to distinguish the church *actual* from the church *historic*." (p. 319.)

It certainly involves a change of atmosphere to pass from the Westminster Assembly's Catechism to these sermons. But it is

chiefly the atmosphere which is new. The fundamental state of mind upon which the preacher of these sermons lays his new knowledge, and from which he declares the modifications of his creed, is Calvinistic. This opinion, which we drew from the first edition of his work, is confirmed by his own declaration at the trial: "I avow myself to be what, before the late union, was styled a New School Presbyterian, and deny myself to have come into conflict with any of the Evangelical Calvinistic doctrines of the denomination with which I am connected." (p. 313.) He repeats his "articles of belief" as follows, using his words "in the Evangelical sense": "The inspiration of the Holy Scriptures, the Trinity, the divinity of Christ, the office of Christ as a mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and wicked." (p. 324.) He is not a Unitarian. His case is another sign that the passionate rebellion of the last generation against Orthodoxy is now giving way to mild and gradual transitions within Orthodoxy. Among the ministers of most, if not of all, the Protestant churches there are now men who are young enough never to have felt much oppression in theology or morals, who are learned enough to appreciate their new opportunity, and who have sufficient character to use their freedom as it is needed in our mixed communities.

Although theology does not appear to be the author's strongest point, he is far from being guilty of that popular theological flippancy of which Mr. H. W. Beecher has long been the recognized national spokesman. Mr. Swing is a sober preacher who, not seduced by his skill in firing a religious glow in the convictions of others, honestly tries to make clear and forcible his own convictions. But his feeling is more transparent and more persuasive than his thought is clear or convincing. His main strength lies in his sympathy. He belongs to that admirable class of religious teachers who, separated from the Episcopal Broad Churchmen by ecclesiastical polity and from the Free Religionists by a healthy old-fashioned theological spirit, are really the common friends of people in every state of mind. "Unity of religious belief," he says, "could only be secured by God's silencing the human mind. . . . But this would be the annihilation of man, and better than this is the progress of man, with a charity as broad as human life; with a toleration as universal as our ignorance and our mistakes; with a mutual forgiveness as omnipresent as are the shadows and mysteries of human life." Then follows a philosophical remark which reminds us of Cousin, and since Mr. Swing was charged with eclecticism, this may serve as an instance of his heresy, — "All

that is needed is a diversity without sorrow or even surprise, a variety as of clouds or wild-flowers." (p. 22.) This is a rare character to sustain, and in the present stage of its development peculiar faults easily beset it. Mr. Swing has happily escaped the vanity and levity which popularity has urged to such a degree in Mr. Robert Collyer, and his good-nature during his trial, added to his scholarly training, favors the hope that he will still keep his head now that his well-deserved local influence has been forced so suddenly into a national reputation. His danger comes from a weakness which most preachers confound with what genuine strength they have. It is an excess of "the homiletic mood" for tempting to which Dr. Shedd bears such a load of responsibility and against which the students of Pastoral Care should watch, work, and pray. Not to seem to speak with secular prejudice, we will cite a lay instance as distinguished as it is tedious, — the Duke of Argyll in the "Reign of Law," where his extremely considerate preliminaries for the benefit of the Christian ignoramus who seldom reads his works, and the learned vulgar which should not be indulged by such nursing, are most irritating to readers who are looking for what he has to tell. The mad lovers of this mood boast that everything is grist to that mill, and it does indeed grind everything to dust. Instead of coming at once to the point of religion, the "homiletic mood" is fond of coming religiously to every point. A sound sense of humor should prevent such prosing.

Yet the author has used this mood with that happy effect which is peculiar to a spontaneous and naturally eloquent utterance of religious sentiments. And since in order to understand a real sermon one must know the audience, it is interesting to learn that these discourses were addressed to "a large class of doubters," who, "after the fire," according to a statement of one of the author's friends, were attracted by the preacher's quality. Who some of these "doubters" were may be guessed from such statements as the following, which are not infrequent: "The legal profession has always stood firm by the idea of an Infinite God" (p. 58), and "the best friends of the hope" (of immortality) "are to be found among those who are students of justice, — the lawyer, the judge, the legislator, or those busy in philanthropy or education, — persons living in the presence of the soul." (p. 280.) The influence of these hearers may have helped to lead one so susceptible as the author evidently is to lay his preaching open to the charge of being "too exclusively human." But this trait may also have rendered him exceptionally engaging to the hearers, for such an audience, however well informed, is apt to be in the theological state of a clever witness at the trial, who, when questioned

about the Calvinism of "the accused," asked, in reply, "Will any gentleman name the five points to me?"

The author's favorite line is common-sense. He has not such remarkable religious fervor as Mr. Beecher, nor such winning pathos as Mr. Collyer, but common-sense rules him as it does not rule them. It is his savor. He calls religion "the handmaid of common-sense." (p. 302.) He says that God "is nothing unless reasonable" (p. 296), and that in religion "there will be mysteries, but also there will evidently be manifest a great amount of what we call common-sense. (p. 297.) . . . . The return of our times toward true Christianity must come from a return to a reasonable creed; not to a rationalism that denies all supernatural events, but to a reason that shall clothe faith and penitence and virtue and all of salvation with the best raiment possible of common-sense." (p. 301.) But even common-sense can be spread too thin, and the professional obligation to preach almost every Sunday often betrays itself. Few sermons will stand reading by the volume. Yet such sensible stuff as the following makes one patient under very long talks, especially when we remember that the speaker is no *doctrinaire:* "No man can preach Christianity without being a doctrinal preacher, and no man can acquire a Christian, or a religious heart except by the obedience of doctrine. Doctrine sustains the same relation to Christian character and hope that mechanical law sustains to the Cathedral of St. Paul, or that the law of sound sustains to the church chimes or the music of the many-voiced organ. The attempt to separate Christianity in any way from its own announced doctrines is as pitiable a weakness as it would be to invite engineers to bridge a vast river by emotional action, wholly separate from any creed of mechanics." (pp. 73–74.)

When, however, he attempts definitions he is uncertain, and gives ground for the criticism of an Ohio oracle, that "he does not know where he stands." His definitions are rather illustrations of what at the outset he despairs of clearly defining. Of faith, for instance: "Belief is a permanent law of intellectual life. Faith is this perpetual natural force." Then, "Faith is the drift of one's heart and mind in morals." Then, in the same paragraph with the words last quoted, "Faith is evidently the soul's attachment to a being." (pp. 241–242.) Then, "It is God in a law." (p. 249.) Then, "Faith is . . . . a law helped into action by a miracle, but yet a law." (p. 251.) In this last remark is shown the supernaturalism of the author's position, at the same time that he accepts, with characteristic moderation, the distinction upon which Rothe so insisted, that in a miracle the materials to be affected and the results accomplished by supernatural

power were within the bounds of nature. But the kind of explanation in which the author is most fortunate is found in such epigrammatic turns as this, which seems to have acted like a red flag upon his prosecutor: "There is a relationship of man and God that has created the Bible. The Bible has not made religion, but religion and righteousness have made the Bible." (p. 65.)

In the light of what has been said, some of the titles of the sermons will serve to suggest the character of the book: "Religious Toleration, or Charity," "Christianity and Dogma," "Emotion and Evidence," "The Lost Paradise," "Positive Religion," "Christianity as a Civilization," "Faith," "Immortal Life," "A Reasonable Orthodoxy." In the sermon on "Charles Sumner," the recollection of Mr. Sumner's style was a temptation which the preacher did not sufficiently resist. The sermon on "St. Paul" is an example of both the strength and weakness to which we have pointed. The sermon on "St. John" shows the preacher at his best in matter and style. His imagination, which, by the way, was presented by his defenders at the trial as a valid reason for supposing that he did not mean all the heresy which he seemed to utter, here finds a congenial and legitimate place. His poetic temper lends a charm to the whole volume; but while it is happy in finding expression in a natural eloquence, it still needs a more modest style. The celestial mechanics of the pulpit is revealed in occasional purple patches, in frequent allusions to the great names which are to be found attached to dates in historical text-books, and in a vast milky-and-watery way of such brilliants as "golden," "wreathed," "flowers," "universe," etc. We were seized with a sharp pain when this second edition repeated what we had hoped was a misprint in the first, namely, an appeal for a "more *genteel*, more Christ-like Church." But we still have hope; and whatever words he relishes, we will not quarrel with the man who, when he is on trial for heresy, calmly tells the assembled presbyters, "Not one of you, my brethren, has preached the dark theology of Jonathan Edwards in your whole life. Nothing could induce you to preach it; and yet it is written down in your creed in dreadful plainness. Confess, with me, that our beloved church has slipped away from the religion of despair." (p. 323.)

The publishers of this book advertise a full report of the trial, which is being prepared by a committee of the presbytery chosen from both sides.

8. — *Die Entstehung der Schwurgerichte.* Von Heinrich Brunner. Berlin. 1874.

One might form a small library by collecting all the books, monographs, and writings of every sort to which the institution of the Jury has given birth. Without speaking of the other numerous points of view from which it may be studied, and with which the philosopher, the publicist, and the practical lawyer specially busy themselves, the purely scientific side, or, if preferred, the origin and history of the institution, has always exercised a great attraction over intelligent minds. A mere glance at the list of books placed by Brunner at the head of his own is enough to show that every country in Europe has brought here its contribution in the way of research, and, curiously enough, each writer commonly claims for his own country the honor of having given birth to the beneficent institution. Thus it has been derived in turn from the ancient Germanic law, from the Anglo-Saxon, Anglo-Norman, Scandinavian, canonical, Roman, Celtic, Slavic, and even from Oriental, law. As for the judicial germ from which the jury developed, it has been seen successively in the institution of the scabini, of the compurgatores, and so on indefinitely.

Henceforward, however, this germ of the jury must be sought in the inquest of proof (*inquisitio per testes*) of the Frankish procedure, the legal character of which, and its place in the economy of Carolingian procedure, have been determined by Brunner in a very remarkable preliminary work, "Zeugen und Inquisitionsbeweis der karolingischen Zeit," with which the "Wort und Form im altfranzösischen Process" is to be read in connection. The nature of this inquest of proof can only be understood by tracing it back to the old customary procedure of archaic German law.

The recent works on the history of German law, as has been already shown at considerable length in the last number of this Review, have put in strong light the formal character of the archaic procedure. Nowhere does this character exhibit itself so sharply as in respect to the rules of proof. Proof, as understood by the barbarian customs, was not a judicial means for bringing conviction to the minds of the tribunal; it was simply a satisfaction due and given to the adversary in forms prescribed by custom. It follows that in the barbarian form of proof by witnesses, which was merely one particular kind of proof, as the ordeal was another, the producer of the witnesses proposed not in the least to convince the tribunal of his own good right, but simply to produce the fixed number of witnesses

according to the customary form, and these witnesses were to corroborate by oath the theme or statement prescribed for them in the previous judgment which had ordered the proof.

The Frankish inquest of proof (*inquisitio per testes*) is also a form of proof by witnesses, but it differs radically from the old barbarian proof by witnesses. In the first place its roots are not to be found in the customary or folk law; it is a creation of new, of royal, law. It is emancipated from the old rigor of form, and consists in an answer made by witnesses to an interrogatory of the judge. Its object is to convince the tribunal of the existence or the non-existence of the fact in litigation. It is therefore a proof in the modern sense of the word. The witnesses take the preliminary oath to speak the truth, while the old customary witnesses made their deposition in the form of oath itself, and after the judgment which had resulted in ordering the proof to be produced. To use a precise distinction, the customary witnesses were jurors, those of the inquest were *jurati*. Obviously the application of the new proof was easy as compared with that of the old. And moreover the judge of inquest might use his own discretion as to the evidence and the number of witnesses, which, according to the sources, varied between five and two hundred.

It must not be forgotten, however, that in its origin, the inquest was an institution outside the law properly speaking, and that it was destined long to remain unassimilated by the law. If it was a mode of proof at all, it was so solely by royal authority, and royal authority was incompetent to abolish the formal proof, which was an institution of the common law. It might indeed throw the old system out of use in practice by slowly substituting the official creation in its place. In other words, it might perform, as concerned the customary law, the same part which the Roman prætor performed as concerned the *jus civile*. This rule once laid down, it becomes easy to deduce the double consequence, which is demonstrated by another process through examination of texts: first, that wherever a real action (for the inquest of proof was first applied to real actions) is brought before the king's court, it enjoys the advantage of the inquest; and, second, that in the ordinary tribunals where the rules of strict law are observed, a real action is allowed this advantage only in case a royal privilege of inquest intervenes. But this privilege belongs to the fisc in all suits, and to the church for property held *per triginta annorum spatium sine interpellatione*.

To narrate the vicissitudes of the procedure of inquest is, therefore, to make a history of the jury. The institution found in the soil of Normandy a soil favorable to its development. Norman law

offers in the twelfth century three kinds of proof by inquest: the *inquisitio ex officio*, the *inquisitio ex jure*, and the *inquisitio ex brevi*. The first is the procedure above mentioned, employed by virtue of a royal (now ducal) privilege, and commonly whenever the ducal fisc or the church is party in a suit. The *inquisito ex brevi* — a creation of Norman law named also *recognitio* — is a procedure of proof introduced by the dukes of Normandy in imitation of the Frankish invention. And the *inquisitio ex jure* is the inquest on a matter of fact agreed upon by the two parties, — the *ponere se super patriam* of the English law.

The *inquisitio ex brevi*, or *recognitio*, the child, in some sort, of the *inquisitio per testes*, was introduced into Normandy between 1150 and 1152 by Henry II., who, on becoming king of England in 1154, transported it into that country. This king decreed that the ducal chancery should henceforward in certain fixed cases and once for all be bound to issue to the plaintiff in a suit a writ of inquest (*breve inquisitionis*). These writs were issued to every party who wished to begin a real action, whether possessory or petitory. This procedure was an advantage to the *pauperes* and *minus potentes*, and relieved them of the expenses, the forms, and the delays of the ordinary procedure. Moreover, it placed the lay tribunals in a better position as opposed to the ecclesiastical courts.

The *inquisitio ex brevi* soon became a developed institution in Normandy. The number of witnesses was fixed by habit at twelve. In possessory suits a simple majority of seven voices was sufficient; for petitory suits, eleven concording depositions were required. Thus these jurors little by little formed themselves into a college; the *jurati* became a *jurata*. At first one must be a neighbor to be admitted to a share in the verdict. From the *homines vicineti* were chosen those *qui querelæ ipsius veritatem certius credantur cognovisse*. The Norman jury was always and solely a jury of proof.

The ultimate evolution which transformed the witnesses of the Frankish inquest into the jury of judgment, the jury of modern law, did not occur in Normandy. That province was united with France, and henceforward participated in the legal development of that country where the Germanic tradition of the proof by inquest disappeared little by little before a procedure partly Roman, partly canonical. The French *enquête* isolated the witnesses; its distinctive character was deposition in secret. This *enquête*, introduced by an ordinance of Louis IX. in 1260 first into the royal tribunals, afterwards took the place of the ancient *inquisitio* both in France and in Normandy. It is difficult to fix precisely the moment of its disappearance in this

province. But it was in English law that the Norman jury of proof took its new direction. Brunner maintains that the English Curia Regis, or royal courts of justice, while centralizing to the utmost the administration of law, little by little substituted Norman practice in the place of Anglo-Saxon customs. Henry II., who introduced the *recognitiones* into Normandy, introduced them also into England under the name of assizes. The witnesses of the inquest soon formed themselves into colleges, and acted at the same time as witnesses and as judges. The English *jurata*, sharing the nature of the Norman *jurata* as well as that of the jury of judgment, existed during three centuries in England. A statute of 1650 declared the qualities of witness and juror incompatible, and conferred on the jurors the charge no longer of bringing proof, but simply of pronouncing judgment after proof was brought. From that time the college of witnesses became a college of judges. The stages of evolution were, therefore, first, the witnesses of the Frankish inquest; second, the Norman jury of proof; third, the English jury of judgment.

The jury in criminal law, according to Brunner, offers a development parallel to that of the jury in civil cases. But this side of the story has been left much too dark by the author. In place of the witnesses, it is here the accusers who ultimately form themselves into a college, and become judges of the accusation submitted to them.

Brunner's work is one of those which do most honor to the present historical school of Germany, and show most eminently its solid learning and its sound method. In reading the book one sees how Germany resembles a vast workshop where each workman puts to immediate use the results obtained by others, and in his individual researches starts exactly from the last point reached by science. Thus Brunner has, by applying it to the special question of the jury, verified the idea of Sohm, — which has already been indicated here, and promises to be rich in fruits, — that in the history of Germanic law a sharp distinction must be drawn between the customary or popular source — one is tempted to call it the unconscious source — and that which is official, or royal. English history offers a peculiarly tempting field for the application of this new theory.

It remains to be seen how far the English will consent to yield to the Normans the honor of inventing this peculiarly English institution. Mr. Stubbs has already expressed his opinion on the subject, and while conceding to Brunner the distinction of having discovered the true legal source of the jury, he intimates that Brunner's argument, so far as the local origin of the institution is concerned, fails in one important point, — while it proves that the *recognitio* ex-

isted in Normandy, it fails to prove that it did not, or may not, have arisen simultaneously or even earlier in England. Mr. Stubbs seems, therefore, to think that Brunner has begged the very question most essential to the English side of the claim, and we must wait for a more thorough investigation from the English point of view before expressing a final opinion.

Undoubtedly, however, Brunner has demonstrated the legal origin of the jury. Much remains to be done in the way of detail, but the great lines of development are traced. Perhaps, indeed, he has been over-hasty in his publication. The divisions of his book are too numerous; the matter ill distributed; the work as an exposition of the subject is not altogether satisfactory. One must be unusually well trained to the use of scientific treatises not to lose one's way among this enormous variety of facts which the author presents without sufficient classification. Nevertheless, with all its faults, this is one of the most remarkable works which have been made on the history of institutions of Germanic origin.

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9. — *Geschichte der deutschen Kaiserzeit.* Von Wilhelm von Giesebrecht. 4er Band: Staufen und Welfen (erste Abtheilung). Braunschweig. 1873.

Wilhelm von Giesebrecht is one of the most considerable among living German historians, and one of the most illustrious disciples formed in the school of Ranke. It is now some thirty years since he began his studies on the German Middle Ages, and eighteen years since the first volume of his History of the Empire appeared. That volume, beginning with a sketch of the earliest Germanic society, and passing rapidly over the foundation, triumph, and decline of the Carolingian empire, set forth in detail the circumstances which brought Otto I., the second king of Germany in the Saxon line, to Rome, to receive in 963, from Pope John XII., the imperial crown of the West. This volume closed with the death of Otto III. in 1002. The next, published some years afterwards, ended the history of the Saxon house in the person of Henry II., the Saint, and showed the Franconian emperors at the height of their power in the reigns of Conrad II. and of Henry III. The third volume, divided into two, was published in 1868. In 1863 the two earlier volumes reached their third edition; the third has yet got no further than its second. It recounts the struggle of the investitures, and exposes in strong relief the desperate contest between Henry IV. and Gregory VII. This vol-

ume ends with the reign of Henry V., the last of the Salian line. And now after five years of silence Giesebrecht comes forward again to continue a history already voluminous. The fourth volume is to appear like the third, in two half-volumes. In the first part there is, therefore, neither preface nor table of contents. It embraces the reign of the Emperor Lothar, of Saxony, which forms in some sort the connecting link between the two great dynasties of the Salians and Hohenstaufens, and marks a moment of respite and indecision in the gigantic strife between priesthood and empire. The end of the first half-volume then sets forth the beginning of the second period of struggle, the approaching rivalry of Guelf and Ghibeleine. We see here the ever-increasing power of the Guelfs stretching itself towards the north and the south at once, over Saxony, Bavaria, and Carinthia. Henry the Proud believes himself arrived at his great end when Lothar his father-in-law dies, designating him to the German nobles as successor to the throne. But the princes and bishops reject the choice and elect Conrad, the representative of the old Salian dynasty, and the first Hohenstaufen king. Conrad at once begins the struggle.

Those qualities of the true historian which were conspicuous in the earlier works of Giesebrecht are equally marked in the present volume. His scrupulous and sure criticism guards him against rash and violent solutions in the rendering of texts. His narration is clear, his style often elevated, always sober. Doubtful historical points are reserved to be treated in *excursus* at the end of each volume.

There is but one drawback to the scientific value and the literary attractiveness of Giesebrecht's history, and this is that at times there is in it a certain quality which suggests the German gymnasium; the tone of the pedagogue, though not in the least of the pedant. According to his own statement, the author aimed at a political object in tracing this vast outline. He wanted to arouse in the heart of young Germany the wish and the need of German unity. After saying this in 1849 and 1850, he urgently repeated it, and the subsequent events at Sadowa filled him with a profound joy. All this is highly meritorious to him as a citizen and a patriot, but unquestionably his history would have been better for scientific or foreign readers if it showed less the influence of this desire to impress a moral upon German youth.

On the appearance of the second part of the new volume we shall have occasion to return to the consideration of some points of detail in the first. For this purpose, the two parts cannot be well treated separately.

10. — *Principles of Mental Physiology, with their Applications to the Training and Discipline of the Mind and the Study of its Morbid Conditions.* By WILLIAM B. CARPENTER, M. D., LL. D., etc. New York: D. Appleton & Co. 1874. 8vo. pp. 757.

DR. CARPENTER'S treatise falls into four principal strands of purpose, as we may call them, which by their interweaving make up the book. First, we have a description of the phenomena of the mind, morbid as well as normal, and, as far as seems convenient, a referring of them to modes of the nervous organism; then we get the outlines of a theistic philosophy; while the third element is a series of pedagogic disquisitions and hints for moral education; while the fourth purpose with the author seems to have been to help destroy the superstitions of modern spiritualism, — this being attempted by a running polemic, in which great patience and ingenuity are displayed.

The pedagogic part of the book seems to us the best, and gives it a very great value. The psychologic exposition contains nothing that will be new to students of the subject who are also familiar with Dr. Carpenter's other writings. The only decided novelty we have noticed is the rather interesting hypothesis, that local congestion of the convolutions is an antecedent of voluntary action, and that the will produces its effects by calling up and increasing these congestions, just as the emotions are known to produce hyperæmia in other parts of the body. The passage of act and thought from the volitional to the automatic state, in consequence of the organism growing to the modes in which it has been most frequently exercised, is copiously and variously illustrated; and the transmission to offspring of the modes thus fixed is made, as in the evolutionist philosophy, to explain native mental aptitudes, "common-sense," instinct, etc. The natural history of ideo-motor action, of the will, of revery, hypnotism, somnambulism, delirium, etc., is very fully gone into, but all in the descriptive rather than the analytic manner, so that one is reminded of the days before Bain and Spencer.

The abundance of anecdotes and illustrative facts the author has to supply seems in a manner to have bribed him off from the attempt to squeeze them very close and chase up his principles to their most elementary expression. Thus, while holding that the brain is the indispensable condition of all thought, he yet thinks that in the will as immediately revealed to us in consciousness we have an original power to modify what would otherwise be a purely automatic brain action; but he everywhere is contented to assert this in the most general terms, and never tries by a refined analysis to define exactly how much

or in what way the will can be supposed to act. So that between the philosophy of first principles he gives us, and his more or less crude natural history, the intermediate realm of inductions and analytic reductions in great measure falls out; it being nevertheless the proper realm of *discovery*, and the most pregnant for a future philosophy; since from it the strongest critical weapons against a philosophy like Dr. Carpenter's present one are always drawn.

Dr. Carpenter's philosophy may be roughly stated in a very few words. Consciousness, which succeeds upon certain definite occurrences in nervous tissue, and which we know in its form of Will to be an efficient force, may be regarded as a metamorphosis of whatever physical force or forces went to make the nervous occurrences. It can *manifest* itself again by physical movements of various kinds, thus re-converting itself into a physical force, so that the correlation is complete both ways. But as the mind force is the only one of the correlated cluster which we grasp in its essence, we are justified in believing that the whole group, if perceived otherwise than in its effects, would be known as mental, or, in other words, that all power in the world is an expression of Mind; while the uniformity of "Law" in nature is but an expression of the perfect intelligence of that Mental Power which, foreseeing every contingency from the first, need make no alteration in its action. "If that intelligence were like man's, imperfect, though we might trace a *general* method when the arrangements were viewed in their totality, the *details* would have much of that unsteadiness and occasional want of consistency which we perceive in the actions of even the best regulated human mind."

Now though this philosophy may be very true, yet its author has propounded it in so simple, not to say *naïve*, a manner, as to leave it very open to attack. Without stopping to make a cavil as to his doctrine of the unity of Power being a metaphysical translation, by him unproven, of the physical theory of the conservation of force (which is merely that in all phenomena certain quantities of *motion* measured by a particular mathematical expression will be found constant), we may say that his notion of mental force being one of the mutually convertible group is only an assumption, which until it be proved, or at least argued, stands on no better footing than any other assumption one may make. And in fact the diametrically opposite assumption is the one which the most eminent thinkers on these subjects have explicitly adopted. Both Spencer and Bain, if we understand them, hold the links of the chain of conscious events to be concomitants of those of the chain of successive physical phenomena, the latter being continuous in itself; just as a shadow accompa-

nies a man in walking, but does not influence his gait; or a sound accompanies a harp-string without modifying its thrilling. It is true that (as we shall presently notice) neither of these psychologists seems to have been able to make a consistent use of his theory; but it behooved Dr. Carpenter, who found it half in possession of the field, to make at least some show of effort to dispossess it.

Such effort would fall into that middle realm of whose absence we complain throughout the book. According to our learned author's view, we must suppose that every thought is *consecutive* upon a ganglionic modification, and that if the ganglionic modification could be made to take place without the thought, and the various *vires vivæ* and tensions be collected, we should have a larger sum of them than could be collected when the thought also occurs. If the actual measurement could be made, it would be a direct and crucial test of the theory, but this will probably remain forever an impossibility. Nevertheless, indirect evidence may be looked for, and some such evidence seems given in that very general law of pleasures and pains which associates the former with occurrences that further the well-being of the animal, the latter with influences which are deleterious. Thus the arrest of breathing, which is fatal to life, produces at the same time agonizing distress; it *seems* as if the struggles made to get air were a direct consequence of the distress felt; or are we to suppose that the irritation of the respiratory centre in the medulla by the asphyxiating blood might prompt the same violent movements to procure oxygen, and so forth, if the state of irritation were extremely pleasant and the state of oxygenation distressing? Mr. Spencer seems to think not; for in the second volume of his Psychology he explains the growth of the emotional constitution by the theory of natural selection. He supposes that those species survived which came to have emotions of pleasure associated with experiences that were useful to them, whilst others perished. So Mr. Bain explains the growth of voluntary activity by feelings of pleasure and pain which serve as "guides" to educate the primitive disorderly discharge of muscular life. An agreeable sensation makes the movement continue, whilst a disagreeable one checks it. Thus the purely *conscious quale* of the mental event seems to act as a determinant link in the chain of physical causes and effects, which have the brain and its efferent nerves for their theatre.

It is needless to point out how subversive this is of the more *general* doctrine we just ascribed to these same writers, that the physical and the conscious are two distinct natures, presenting the broadest antithesis which our thought contains; and that the most we can say of them is, that in some inscrutable manner they march abreast and do not flow by continuity together, or dynamically give and take.

Dr. Carpenter supposes that we may follow the chain of nervous events from cell to cell, and back and forth, and then suddenly see the thread of force hop up into the other chain, the parallel chain of conscious events, and taking a twist around one of the links there, or getting a reinforcement from it, redescend and run on rejoicing as before among the ganglia. The rival theory maintains that *all* brain action is reflex action, only that the reflections are extremely intricate; that *in posse*, if not actually, we may write the most acute chapter of spiritual biography in terms of the objective series of events, without once alluding to the subjective modifications of the hero's mind, these floating off from his brain "like a mere foam, aura, or melody," as Mr. Hodgson* says, "but without dynamically reacting upon it."

As we have said, the fact that to a great extent pleasant acts are useful and therefore habitual would seem to indicate that quality of consciousness as such, instead of being discontinuous with all the facts of nerve vibration, may influence them in direction or amount. If true, this is important, both methodologically and philosophically. Methodologically it justifies Mill in his dispute with Littré, by establishing the independence of psychology as a science; for whatever science has a new elementary unit in its subject-matter may rightly be called independent, as sciences go. Philosophically it invites to attempts like that of Spinoza or Dr. Carpenter to ascend to the oneness of things, only by the more fruitful method of a subtle interrogation of the most obscure processes of our nervous and conscious life. In æsthetics, which is a hopeful field of research, ground has hardly been broken in this direction. But in the investigation of the senses and their perceptions much has been done by German inquirers, among whom we may mention Wundt† (whose ideas are given in a connected form in his *Vorlesungen über Menschen und Thierseele*), and the immortal Helmholz in his Optics. In the light of these researches, the chapters on sensation and perception in the work before us seem very inadequate.

How is it that, while Dr. Carpenter's biological writings are so excellent, and while the psychological sections embedded in his Human

* This most original and thorough of contemporary British thinkers is the only one, to our knowledge, who has explicitly stated the alternative. In his "Time and Space" he says the two series are mutually interpolable, in his "Theory of Practice" that they are parallel.

† The reader will find in the latest work of this author, his *Physiologische Psychologie*, of which one half is published and the rest to follow this year, a masterly compendium of the present state of the science of body and mind; and probably many points of theory that were untenable in the former work will in this be corrected.

Physiology seemed among the best where all was good, and completed the impression the student received of the accomplished *ingenium* of the author, we receive so much less favorable an impression from this latest work, which, being essentially psychological, places itself in competition with the writings of professed philosophers rather than of naturalists? To us it seems to be an example of the inferiority of the natural sciences to the logical and philosophical in producing a certain quality of mental texture. And since the former *disciplines*, as the Germans say, threaten just now to be triumphant all along the line, it is perhaps well to draw what passing moral we can from this occasion. Dr. Carpenter, with a mainly biological training, produces a book whose tone seems *slack* in comparison with the writings of philosophers. Divisions are not made where they should be made. Principles are not sharply abstracted and directly stated, but presented by the way as it were, and involved and smothered in the overrichness of illustrative fact and example. The natural sciences rightly teach their disciples to adore facts as the mystic and unfathomable wells from which all truth is to be drawn. And though all admit in principle that we get the truth only when the facts are pressed and distilled, yet the mere harvesting of what we may call green facts is an important and reputable function. So it comes that a fact will often serve simply as a refuge from the effort of analytical energy; the mind stands ecstatic, or "pointing" at it like a dog at his game, unconscious of its own laziness. Too often the taunt that Mephistopheles addressed to the philosophers,

> "Denn eben wo Begriffe fehlen,
> Da stellt ein *Wort* zur rechten Zeit sich ein,"

may be paraphrased for the benefit of the naturalists, that where they lack a clear conception, a *fact* will prove a useful sop. Our complaint is, in one word, that a fact too often plays the part of a *sop* for the mind in studying these sciences. A man may take very short views, registering one fact after another, as one walks on stepping-stones, and never lose the conceit of his "scientific" function, or reflect that he is only what a recent contributor to these pages called a brick-maker, and not an architect.

In logic and philosophy all is different. Clear abstraction, reduction, and distillation are everything; the mind is kept ever athletic and sharp-edged, and, more than all, far-looking. We do not in the least ignore the terrible imbecility of such an intellect when not well furnished with facts to operate upon. All we insist on is, that the *texture* of mind which these studies develop is both harder and subtler than other disciplines can produce; and that in no education where

the subjective quality of the pupil is the aim, should they be suffered to take a subordinate place.

We hardly like to take leave of Dr. Carpenter, after so ungracious a review. It was not that there was little good to be said of his book, but the faults seemed the most important things to notice. We have left ourselves no space for some excellent passages which we had marked to extract, and we will therefore only say that *as far as it goes* its account of phenomena is admirable in every respect; whilst as giving a rationale of education, or the formation of mental and moral character, it is one of the most valuable pedagogic publications of modern times. This, after all, is the end which the high-minded author probably had most at heart, and which he would most gladly see acknowledged.

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11. — *Laocoön. An Essay upon the Limits of Painting and Poetry. With Remarks illustrative of various Points in the History of ancient Art.* By Gotthold Ephraim Lessing. Translated by Ellen Frothingham. Boston: Roberts Brothers. 1874. 16mo. pp. xi, 245.

It is a strange thing if, as Miss Frothingham seems to say, there was no English translation of Lessing's Laocoön until 1853. For the Laocoön was published in 1766, and for the last forty years at least we should think it would have been generally agreed that to Lessing more than to any other man modern criticism in matters of art owes its foundations. He had, to be sure, but little opportunity for cultivating his perceptions in plastic art, and only approached it from the side of poetry or of archæology, — yet his method holds good here too. It is very simple, — as simple as the way Columbus took to make the egg stand; it may be summed up thus: Use your own eyes, and not your prejudices or your memory.

If any one thinks the lesson superfluous, or needed at any rate only for the "Wig-period," not for us, let him look about him in our streets. We have in Boston, set forth to view in the most conspicuous places, statues of Mr. Webster, Mr. Horace Mann, Mr. Everett; and now it seems we are to have a statue of Mr. Sumner. Two of these are by sculptors of the very highest rank, and treated in that spirit of sincerity which Mr. Ruskin inculcates; — the perplexities of modern costume fairly faced; the coat and trousers historical, yet not too literal; the men put before us as they lived and moved. Yet to whom are they — we will not say a joy forever, but — the occasion of a moment's real satisfaction?

Is a portrait-statue then an impossible task? It was not always so. Go a little farther up the same street and see, in the vestibule of the Boston Athenæum, the Sophocles and the Menander. What an air of security and repose! No straining after effect here, for there is no need to strain. But the modern sculptor has to face a very different problem. We demand of him to put before us in stone or imperishable brass the *spirits* of our great men, and it is no wonder if the attempt ends in caricature. Fully to set forth the grounds of the exorbitant claims we make upon our sculptors would be a difficult undertaking, upon which we do not propose to enter. But that they exist and can neither be evaded nor satisfied is, we should think, plain enough from the invariable result. It is not merely that the imagination is trammelled by trivial associations and lets us down into prose; — turn from the Sophocles to the archway opposite, where the young Columbus on the top of his post is trying to look as the young Columbus ought to look. It is not wholly the sculptor's fault, it is our fault if the intensity is rather pathological than pathetic or poetical. It is our fault, for requiring the artist to violate the conditions of his art. Sculpture has this advantage, that it puts before us in bodily form what words can only suggest. But then this very definiteness and concreteness limits the expression to what a single moment can properly contain, and the effort to crowd in more can only make it overflow in grimace. The lesson is familiar enough, but we learn nothing from it because it does not suit our preconceived views, and so we attribute the punctual failure of each succeeding attempt to every cause but the right one.

It is here that criticism can help us, for good criticism is only the quintessence of experience. Every man with time enough, and if the interest lasted, would come to the right judgment; but the labor is too much for most of us; our minds are made up, and the succeeding impressions fail to take effect. Lessing has the immense power of taking pains, which in the critic at any rate constitutes genius; the unwearied, unbribable eye, the ever-alert judgment, that enable him to see things as they are. His rules accordingly are no conventional formulas of good taste, but the very conditions of the several arts themselves. A work of art, he says, is under no obligation, except to be beautiful. But for its own sake, and in order to be beautiful, it must confine itself to what it can adequately express without the help of anything else. Poetry must not describe; sculpture must not carve what can only be felt or suggested. Homer cannot put the beauty of Helen directly before us, nor Shakespeare the abyss of Dover Cliff, as a painter would, and the attempt would only give us, as Les-

sing says, the loose stones, not the building. He can only stir *us* up to reproduce the images for ourselves. But if he can do this, it matters not how; a touch is enough, and then the picture is not tied down to the literal statement, but lives anew with every new reader. Helen's beauty is no longer identified with the precise contours and colors which the Trojans looked upon, but is whatever would affect us as they were affected. On the other hand, the sculptor must be content with his advantage, and not try to sculpture what is incidental and passing. His Laocoön must not cry out like Virgil's, or like the Philoctetes, — not because the expression of pain is unbecoming, but because in the marble he would never cease to cry out. The statue is a personified abstraction, and for its own sake must ignore whatever would disturb the total impression. It should be noticed, however, that the exclusion of the transitory does not mean that nothing of a transitory nature can be represented, but that nothing must be represented which *ought not* to endure. This rule does not exclude the Discobolos or the Fighting Gladiator; for although these attitudes would be only momentary in real life, their beauty is not, and it is with their beauty alone that we are concerned. Lessing perhaps did not always attend to this distinction; yet he insisted, against Winckelmann, that the *repose* of the antique is not the cause, but the consequence, of beauty; that the ancient sculptor did not choose a pose or an expression of face which could be kept up for an indefinite length of time, but one that is delightful without regard to time. This is the *classic* quality, to lift us above all memory or consideration of what is local or temporary.

Lessing, as was natural to him and most needed in the Germany of his day, had an eye chiefly to poetry: he was thinking of Homer and of the contrast between his treatment of a subject and the maxims in favor with the virtuosos of the eighteenth century. For us the application is rather to plastic art; but the principle is still the same, namely, to let the nature of the work supply the rules whereby it is to be judged, and to depend for our judgment upon a close scrutiny of our impressions, neither lightly accepting nor lightly rejecting them, and not upon any outside considerations however obvious or imposing.

So completely have Lessing's ideas been absorbed into modern criticism that everybody is familiar with them at second-hand at least; but it is necessary to see him actually at work, exemplifying in every touch what he taught, in order to appreciate fully the immense common-sense, the rectitude, and the quick intelligence of the man.

Miss Frothingham's version seems to us excellent; it reads easily, and at the same time has much of the conciseness and point of the original. With a good deal of searching we have been able to find a few passages which seem to need correction. On p. x, of the Preface, *Afterkritik* is "spurious," rather than "faultfinding," criticism. P. xi, "savor more of the *fountain*" hardly translates "*mehr nach der Quelle schmecken*"; "fountain-*head*" would perhaps answer. On p. 109, the first sentence needs revision in order to make it English. On p. 124, the last sentence should read, "My opinion is that true perspective in pictures was hit upon incidentally through scene-painting; but even when that art was already in its perfection it must still have been no easy task to apply its rules to a single plane," etc. On p. 171, "*argutiæ*" is rather "subtilties of detail" than "traits of animation." P. 183, the "Borghese Gladiator" is better known as the "Fighting Gladiator"; and at this place it might be mentioned that Lessing afterwards withdrew the conjecture (for once not a very happy one) that it was a statue of Chabrias.

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12. — *The Constitutional History of England in its Origin and Development.* By William Stubbs, M. A., Regius Professor of Modern History. Vol. I. Oxford: At the Clarendon Press. 1874.

The authority of Professor Stubbs deservedly stands so high, that a critic who undertakes to deal with his works must always feel the task to be one of no little difficulty and danger. His name has often been mentioned in the pages of this Review, and always with respect and praise. He is not only learned and accurate, but, unlike some of his rivals in the same field, his judgment is admirable, and his caution almost excessive. As Regius Professor at Oxford, he gives dignity to the study of history. Even yet this study stands at that University in comparatively slight esteem, overshadowed as it still is by the prescriptive authority of the classics; and the present work is doubly valuable if it is an evidence that Oxford intends at last to interest herself seriously in the history of England, and to tolerate no longer that indifference which has thus far left the national annals in the hands of Scotchmen or amateurs. A scientific training is as necessary to the historian as to the mathematician, and it is the misfortune of England that she has never yet had a scientific historical school.

Mr. Stubbs's first volume deals with the constitutional history of England during the long period of seven centuries between the first

establishment of the Germans and the adoption of Magna Charta. There is no use in disguising the fact that, to the mass of readers, early English history is dull reading, and early English constitutional history is peculiarly dull reading. Yet its scientific interest is very great. The constitutional changes which marked these seven centuries were more radical than any which have occurred since their close. They include the entire conversion of an archaic, pagan community into a nation which was only waiting for the masterly touch of Edward I. to become a model in history. The various stages of this preliminary progress; the obscure forms of society and law, with their irritating and pedantic details; the experiments in government which succeeded, or, still worse, those that failed; the incessant and always intricate struggle between the old that was passing away and the new that was at hand; — all these changes and varieties of the story require a profound treatment and consume infinite time. That Professor Stubbs should have succeeded in compressing this part of his subject into only six hundred pages is to be explained by his careful exclusion of all extended argument, and his moderation in the display of learning. He has produced a work which for compactness and solidity can be compared with nothing but a dictionary. A different arrangement or a careful index might easily convert it into a sort of English Ducange. And although Mr. Stubbs's History is far in advance of any previous work of the kind, and will probably long retain its superiority over all rivals, still the critic may be allowed to express a regret that the author, instead of writing a history, did not rather compile a glossary like that of Ducange or Spelman. Experience has proved that such immortality as the antiquarian can ever expect is best to be earned in this manner. Even the best histories are soon superseded and cease to be read; but Ducange, Spelman, Grimm, must always be consulted and re-edited. Professor Stubbs could propose for himself no task so brilliant or so useful as that of furnishing the world with a complete index and glossary to all the records of early English history. How valuable such a work may be has been shown by Dr. Schmid, who has done it for the laws alone. There are no books so essential to the student and so little accessible in English history as this sort of cyclopædia. There are none which bar so effectually the influence of dangerous or feeble theorizing, or which tend so directly to shorten the labor of good historians.

There is another reason why this method of proceeding would have been especially suitable in the present case. Without the slightest disrespect to Professor Stubbs, who stands above the range

of captious criticism, even his strongest friends must concede that his mind is better adapted to the work of compilation than to the art of story-telling. The historian must be an artist. He must know how to develop the leading ideas of the subject he has chosen, how to keep the thread of his narrative always in hand, how to subordinate details, and how to accentuate principles. But of such an art Mr. Stubbs is altogether innocent. He would perhaps regard it as slightly contemptible, and, indeed, in England it has really become so, although, strange to say, in Germany it has been of late superbly developed. Mr. Stubbs has no theories to advance, no principle to demonstrate. His History aims at the correct appreciation of facts, so far as they are at hand, rather than at the development of an idea. He is a perfect editor; he would be an admirable lexicographer; but as an historian he will infallibly be voted dull.

This is the more to be regretted because there is no reason nor excuse for it in the subject itself. The mass of mankind, of course, will always think constitutional history dull, but Mr. Stubbs does not write for the mass of mankind. He writes for a small class of lawyers or students who are peculiarly interested in the subject, and fully alive to its extreme importance. To them the constitutional history of England is perhaps the most interesting history that ever was written. England offers to them the spectacle of a nation which has passed through all the stages of change both in public and private law, from pure archaism down to the latest germs of future institutions now struggling into life, either in her own soil or that of her offshoots, and in all this mass of public and private law it can hardly be said that there is a single serious interruption of legal continuity. She is therefore a curiosity among nations, unique in her development. Rome can alone claim a rivalry with her, but at least on the political side England has an indisputable advantage over Rome.

So far as private law is concerned, the early history of this great system is still almost a blank. Neither Mr. Stubbs nor any other writer has seriously attempted it, and it is destined to remain untouched until Germany has forced England into scholarship. All that is known of early English private law must as yet be read in German books. Until the appearance of Mr. Stubbs's work, this was also very much the case in regard to constitutional law; the excellent books of Kemble and Palgrave were becoming antiquated. Mr. Stubbs, however, is a German scholar, and is not ashamed of acknowledging his indebtedness to Germany. Yet it is safe to say that even Mr. Stubbs might have gone with advantage still more

deeply into the study of German historians in the more technical branches of private law. Nevertheless, a great point has been gained by the general concession that English constitutional history begins with the coming of the Germans in the latter half of the fifth century, and Mr. Stubbs has done much to clear men's minds by rejecting at the outset every suggestion of Roman influence, and resting his whole structure upon the simple foundation of German archaic society.

The outlines of this society, thanks to German investigators, are now sufficiently clear. The Angles and Saxons who drove out the old British population brought to England a constitution of their own. In Germany they had adopted, before the earliest historical period, an organization which bore the name of *hundred;* and although the term itself does not appear in their laws till a much later period, Mr. Stubbs admits that the earliest Anglo-Saxon society was probably founded upon this division or its equivalent. They lived in small settlements where the land was, perhaps, held in common, or where, at all events, there were extensive rights of common, but their constitutional activity centred in the hundred, of which the village or community was but a fraction. The hundred was their unit of organization. At the hundred court, the mallus, methel, or thing, which met every month, each freeman was probably bound to appear. The legal procedure peculiar to this court was certainly in essentials the same as that described in the Lex Salica as existing among the Franks at the same period, and has already been sketched at considerable length in this Review. Perhaps at the beginning, when the German settlements were very small, the hundred court was parliament and law-court in one, and all questions of every kind may have been settled there under the presidency of the ealdorman. But as larger districts were occupied, the hundreds appear to have been grouped together in shires, and twice a year the freemen met together at a fixed spot and transacted business both legal and political in the shire-court, which had an appellate jurisdiction in all suits, and was probably presided over by the ealdorman.

Thus the early constitution was simple enough. It was purely democratic. The ealdorman was a president whose powers were no greater than the freemen chose to concede. The free citizens administered their own law and their own political system in their own courts. They went out to war as they went to their hundred-court; law-court, parliament, and army were the same. If any reliance is to be placed in the general characteristics of German society, these or similar institutions must have existed in all the numerous shires which are called kingdoms in the early history.

In regard to this period, however, the records are very vague, and results are not easily fixed beyond dispute. Nearly four centuries elapsed after the Germans first settled in England before any clear notion of their government can be obtained from their literature. During that time a whole civilization had spread over Europe under the Frankish empire, and had introduced a characteristic constitutional system. England was strongly influenced by it. Of that system the elevation of royal authority, and the administration of the hundreds by royal officials, were marked incidents. It is, therefore, natural enough that a law of Edward the Elder, of about the year 920, should direct his reeves to hold their court every four weeks. The royal sheriff presided therefore in the hundred-court. To this extent administration had been centralized. England was now united under one king, and a great council assisted in the political government. Later times have given to this body the name of Witenagemot, or court of the elders; in Anglo-Saxon days it seems to have been known as merely the Witan or the Gemot.

Here, then, begins the division of English constitutional history into its two main branches, the political and the judicial. Omitting all else in order to keep these great objects clearly in view, the single point of special interest in regard to the first must be to ascertain how far the Witan is to be considered as identical with the later Parliament. On this subject the English historians are rarely to be trusted. They are apt to be led, by a sentiment of patriotism, into the assertion as an article of faith of what is not only incapable of proof, but inconsistent with facts. Even Mr. Stubbs, cautious as he is, allows himself to dwell rather on the points of resemblance than on the differences between the two assemblies. The great German historian, Sohm, has described more clearly than Professor Stubbs has done the peculiarities of the Anglo-Saxon political system. These peculiarities rest mainly on the fact that in England the ealdormen represent the old tribal independence, the petty kings who preceded the national union. Their authority was not created by the throne, but was older than the throne. What the crown won, it won from the ealdorman. He was a viceking, with an authority not derived from, but independent of, the king. No law of the king's, but a principle of the constitution, defined the plenitude of his power. Not the will of the king alone, but a judicial sentence, could deprive him of his office. The ealdorman excluded the king from the immediate government of his province. Local government was therefore the rule, not of the king, but of the ealdorman. The king, in appointing him, appointed not a servant of his will, but a prince and lord of the province.

In the Witan the king and the Church alone represented the principle of national unity and the tendency to centralization. The ealdormen represented an antagonistic force, the ancient constitutional rights of local independence. How strong this principle was, can best be seen in the lives of Aelfric and Eadric Streona. It made the kingdom a prey to internal treachery and foreign conquest. It was the natural forerunner of a feudal chaos; and when Harold, imitating the Capetians, raised himself to the throne, the natural consequence would seem to have been that England should share the fate of France.

To have prevented this was the one great service which William the Norman rendered to mankind. His crown depended upon success in trampling the last spark of life out of that local aristocracy, descended from the heptarchy, which found its expression in the Witan. Nor is there any other single point in William's policy which stands out in equal prominence with this. Here is the justification of his course in making Northumbria a desert, and in cutting off Waltheof's head. To guard against any possible revival of the old system, he scattered his grants to the Norman nobles over all England, nowhere allowing the revival of a local aristocracy. His policy was wise and successful, however rough it may have been. Never again after William's reign does one hear of Wessex, of Mercia, or of a Northumbrian Witan.

As a necessary consequence of this policy, the old Anglo-Saxon Witena-gemot perished with the class it represented, nor is this result in the least affected by the fact that the conqueror maintained for a time a certain hollow form which still bore its name. It is even made more conspicuous by the fact, pointed out by Mr. Stubbs, that the judicial powers of the Witan were henceforward wielded by the Curia Regis, which thus acquired a prominence hitherto denied it. Neither Mr. Stubbs nor even Mr. Freeman would probably maintain that there is any evidence whatever to establish the existence of a legislative assembly under Rufus, Henry I., Stephen, Henry II., Richard or John. The utmost that can be demonstrated is the occasional indication of a consultative body, which, to say the least, has no stronger affiliations with the Witan than it has with the Curia Regis or the Norman court of the barons. Two whole centuries elapsed between the last genuine meeting of the Witan and the first meeting of Parliament. When at length the practical wisdom of the English mind and the administrative genius of Edward I. organized parliamentary government, the constitution of that body was essentially the opposite to that of the Witan. It was national, it was representative, it was popular. The Witan had been sectional, self-constituted, aris-

tocratic. The Witan represented the heptarchy, Parliament the consolidated nation. The Witan perpetuated all that was worst in the old system: Parliament offered all that was best in the new. The Witan, as an experiment in constitutional government, had never worked easily or thoroughly; it was a failure. Parliament was from the first a success. There is little in common between them, except that both were legislative and judicial assemblies.

If Mr. Stubbs's caution has prevented him from advancing any very strong or very peculiar views in regard to the logical sequence of English political institutions, the same cause is possibly accountable for his failure to mark sharply what he would consider the essential elements in the judicial constitution. His description is confused by details. He begins, too, by a statement which is hardly tenable: "The unit of the constitutional machinery [in early Anglo-Saxon times] is the township, the *villata* or *vicus*." If he had said that the unit was the shire, the statement would have had grounds of support. If he had said it was the hundred, he would have agreed with the highest modern authorities. If he had called it the tithing, or the family, an argument might have been made in his favor. But one is at a loss to understand in what single particular the *villata* or township was a unit of constitutional machinery. It had not a single constitutional function of any kind, sort, or description. It had, if Mr. Stubbs pleases to insist upon it, some small police functions; and it is possible that it may have had some sort of police-court, although even the existence of this court can hardly be proved. Mr. Stubbs cites one charter of Richard I. to show that the word "townshipmot" occurs at all. Mr. Stubbs further says that the township appears in its ecclesiastical form as the parish. But, on the other hand, the laws, the records, the constitution itself, and the whole literature of Germanic society leave no possible doubt as to what the English people considered their unit of constitutional machinery. It was the hundred, of which the township was a mere fraction or subdivision, with no separate activity of its own. The hundred-court, consisting of at least a certain number of freemen from every *vill*, and meeting every four weeks, was the foundation of everything in Anglo-Saxon history: of king, ealdorman, shire-court, army; of all except the Church. The hundred-court was the lowest court of civil and criminal jurisdiction; no complaint could be taken to the shire-court or to the king that had not been first heard in the hundred. It was the lowest organization used by the king for judicial or administrative purposes. Even so late an authority as Henry I. shows that the hundred at that day was still the unit of constitutional machinery as it was in the time of

the Saxon kings: "Henricus rex . . . . omnibus baronibus suis. —— Sciatis quod concedo et præcipio ut amodo comitatus mei *et hundreda* in illis locis et eisdem terminis sedeant, sicut sederunt in tempore regis Eadwardi et non aliter. Ego enim quando voluero, faciam ea satis summonere propter mea dominica necessaria ad voluntatem meam. . . . . Et volo et præcipio ut omnes de comitatu eant ad comitatus et hundreda, sicut fecerunt in tempore regis Eadwardi." Mr. Stubbs himself cites ample evidence to the same effect. The entire fabric of civic society, as described by Mr. Stubbs, testifies to the same fact. The very construction of Domesday Book and the Rotuli Hundredorum proclaims it.

If this were a point of secondary consequence, there would be no occasion to comment upon it. But if the clew offered by the hundred is once lost, or even if it is loosely held, the entire history of the English judicial constitution becomes a confused jumble of words. The one permanent Germanic institution was the hundred. The one code of Germanic law was hundred-law, much of which is now the common law of England. The hundred and its law survived all the storms which wrecked dynasties and Witan. It was the foundation of the judicial constitution under the Conqueror as it had been under Cnut and Alfred. Nor is this principle contradicted by the fact that the Conqueror, like Charlemagne, and perhaps too like Alfred, Cnut, and Edward the Confessor, occasionally sent special judges to hear special cases in these courts, and to decide them by the royal, equitable procedure, which substituted the *inquisitio per testes* for the oath and ordeal. Excepting the royal equitable jurisdiction, hundred-law was the sole law of England. The Conqueror, however, in an unlucky moment, allowed the archbishops and archdeacons to withdraw from the hundred-court all cases involving the Church, and to decide them in ecclesiastical courts, *non secundum hundret sed secundum canones*, not by hundred but by canon law. But neither William I. nor his sons, nor Stephen, nor even Henry II., made any essential change in the judicial constitution. The Assize of Clarendon merely shows the more regular and developed use of a power which seems to have been exercised by Alfred nearly three centuries before. The introduction into the judicial procedure of those new forms of proof which were to exclude the oath and the ordeal proceeded, as Glanvil says, from the highest equity, but was hardly in itself a revolution in the old constitution. The real change came when the king's judges, who had hitherto been chiefly bishops and sheriffs, and had sat in the county or hundred courts, began to form a professional class, and by means of their equitable powers drew suits before a court of their

own. Thus their jurisdiction gradually overlay the old hundred-jurisdiction and sucked the blood from it; but even then the hundred died slowly, inch by inch, peacefully, and without a moment of cessation in the continuity of English law. One of the best paragraphs in Mr. Stubbs's book describes the result: —

"The fixing of the Common Pleas at Westminster broke up the unity of the Curia, but it was not until the end of the reign of Henry III. that the general staff was divided into three distinct and permanent bodies of judges, each under its own chief. But the court or courts thus organized must no longer be regarded as the last resource of suitors. The reservation of knotty cases to be decided by the king with the council of his wise men, continues the ancient personal jurisdiction of the sovereign. The very act that seems to give stability and consistency to the ordinary jurisdiction of the Curia, reduces it to a lower rank. The judicial supremacy of the king is not limited or fettered by the new rule; it has thrown off an offshoot, or, as the astronomical theorists would say, a nebulous envelope, which has rolled up into a compact body, but the old nucleus of light remains unimpaired. The royal justice, diffused through the close personal council, or tempered and adapted by royal grace and equity under the pen of the chancellor, or exercised in the national assembly as in the ancient witenagemots, or concentrated in the hands of an irresponsible executive in the Star Chamber, has for many generations and in many various forms to assert its vitality, unimpaired by its successive emanations."

Yet, notwithstanding this great development of royal justice, the old hundred-jurisdiction long retained vitality, and especially in the form of manorial courts has retained it down to our own time. The manorial jurisdiction has given rise to much confusion of ideas. It is perhaps popularly supposed that, under Norman influence, the manor court created a new and peculiar kind of law in England; that it wrung sovereignty from the Crown and their liberties from the people, and set up a legal system of its own. On this point again Mr. Stubbs is not so clear as one would wish. He neither states the nature and extent of manorial jurisdiction in England with all the preciseness possible, nor compares it with that in France and Germany, nor does he even declare any very decided opinion as to its historical origin. Indeed, on this point he returns to what has been above criticised as a very hazardous opinion in regard to the township. Starting apparently from the former assumption that the township was the unit of constitutional machinery, he quotes Ordericus to the effect that the manor was merely the ancient township now held by a feudal lord, and then adds: "The manorial constitution is the lowest form of judicial organization. . . . . Every manor had a court-baron, the ancient gemot of the township,

. . . . and a court customary." Possibly Mr. Stubbs may be right, but it would be extremely interesting to know on what evidence he rests his assertion that the court-baron was the ancient gemot of the township. Surely the charter of Richard I., already referred to, is not all the evidence he has to offer on this point, though it is all that is furnished. On the other hand, Mr. Stubbs knows better than any one else, and intimates in various places that the jurisdiction of the court-baron, which is certainly the true object of interest, was not the jurisdiction of the township-gemot, but of the hundred. Almost in the next line to that above quoted, he goes on to say that certain manors "had also a court-leet or criminal jurisdiction cut out, as it were, from the criminal jurisdiction of the hundred." If the criminal jurisdiction of the manorial court came from the hundred, Mr. Stubbs ought at least to have said where the civil jurisdiction came from. Certainly not from the township. Undoubtedly both civil and criminal jurisdiction came from the hundred, for the simple reason that there was no other source from which it could have come. Every legal authority has always assumed it to be hundred-jurisdiction. Scroggs and Scriven, Gneist, even Mr. Stubbs himself, are in accord on this point. At least Mr. Stubbs, on the following page, says in a note that the jurisdiction of the hundreds fell more especially into the hands of the territorial proprietors, whose courts "were in fact, as they had been earlier, public jurisdictions vested in private hands."

The manorial court, as known in the later law, was a private hundred; its jurisdiction was the same, its constitution the same, its procedure the same, as those of the hundred. The continuity of history requires that this point should be strongly asserted. By confusing manorial jurisdiction with the jurisdiction of some unknown village police-court, the logical development of the judicial constitution is seriously disturbed. No one would for an instant suppose that Mr. Stubbs is ignorant of the facts, but there is a certain vagueness in his modes of expression which sometimes leaves the reader in the dark as to his actual opinion, and on a capital point like this no historian can afford to be vague. Too much stress cannot be laid on the fact that manorial jurisdiction was in its origin and essence hundred jurisdiction; unless, indeed, the author believes that it was not hundred jurisdiction, and in that case too much stress cannot be laid on the negative. The mere fact that the popular court was at one period presided over by an elected officer, at another by a royal official, and at a third by a lord of the manor, makes no difference in the legal character of the institution. Whatever happened in France, it would be hard to prove that any baron ever wrung one attribute of sover

eignty from the grasp of the Norman kings. The manorial courts after, as before, the conquest, were but private hundred-courts, in which, not the lord, but the freemen declared the law, and such they have ever remained. The chain which unites our modern judicial constitution with that of Alfred the Great is perfect in its more archaic as in its more royal sequence.

This notice has already exceeded its proper limits, and there is no space left for examining Professor Stubbs's treatment of the great ecclesiastical questions in which he is peculiarly at home. But perhaps a critic may be allowed to express regret that he is not to have the assistance of Professor Stubbs's great knowledge and judgment in regard to one point which is of some interest to specialists. An active controversy has for years occupied much attention in Germany on the relative merits of the two characteristically Germanic or modern systems of judicial machinery, — that of the jury, and that of the Echevins, Schöffen, or Scabini. English historians have hitherto been so exclusively interested in their own jury system as to show little interest in that other procedure which was once its rival. Yet there are indications which suggest that even in England the older institution may have been for a long period in active existence. Mr. Stubbs does indeed call attention to the fact that in the twelfth century justice appears to have been administered in the shire-court by a distinct class of freemen who were bound by oath to the honest performance of their duties. He points out that there was a very numerous body of men, distinct from the ordinary members of the court, upon whom the duty fell of acting as *judices* or *juratores*, and whose fines for neglect of that duty fill the Pipe Roll of Henry I. "The judges and jurors of Yorkshire owe a hundred pounds that they may no more be judges or jurors"; and so in a number of other cases. Mr. Stubbs is, however, very cautious in expressing an opinion as to the precise functions of these judges and jurors. That at so early a time they could have had little in common with modern jurors, is obvious. But the same class of men seems to be meant by the paragraph in the so-called Laws of Henry I.: "Regis judices sunt barones comitatus qui liberas in eis terras habent, per quos debent causæ singulorum alterna prosecutione tractari." And their existence would seem to go back into Anglo-Saxon times, if any inference can be drawn from entries in Domesday like that in the Customs of Chester: "Tunc (tempore regis Edwardi) erant XII judices civitatis, et hi erant de hominibus regis et episcopi et comitis: horum si quis de hundred remanebat die quo sedebat, sine excusatione manifesta, X solidis emendabat inter

regem et comitem." To the same institution may possibly be traced the reference in the Consultum de Monticolis Walliæ, a document which is commonly ascribed to the age of Ethelred, but which Schmid inclines to refer to that of Athelstan or even earlier: "XII lahmen, i. e. legis homines debent rectum discernere Walis et Englis, VI Walisei et VI Anglici; et perdant omne quod suum est si injuste judicent, vel se adlegient quod rectius nescierunt." There may not be sufficient evidence to prove the adoption into the English constitution of the Frankish Schöffen system, but there is certainly enough to make it desirable that the point should be more thoroughly investigated, and its constitutional interest explained.

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13. — *Etruscan Researches.* By Isaac Taylor. 8vo. pp. xii, 388. London: Macmillan & Co. 1874.

Mr. Taylor does not overstate, in his first chapter, or "Prologue," the interest of the Etruscan problem. There is hardly another ethnological and linguistic question left which so presses for an answer. That there should have been a people of whose works and institutions, and language even, we know so much, a neighbor and rival during several centuries of that Latin-speaking race from which we derive our civilization, and itself a not unimportant contributor to that civilization, and that we should not know where to place it in the system of human races and languages, — this is a constant trial and mortification to the votaries of ethnology. It is a problem akin with that of the Basques, though not without important differences also. We are more readily content to accept the Basques as a relic of a Southwestern European population, dispossessed and almost crowded out of existence by the tribes of our own kindred when they spread themselves to cover European soil. But the Etruscans are a community dropped down, as it were, in a spot surrounded on all sides by peoples whom we know, and showing no signs of being older and more original than these; and there are traditions of their having come in from afar: how can it be impossible to connect them with some recognized division of the human race outside of Italy?

A question like this, of course, has not gone without finding many would-be answers. There are plenty of people in the world who can settle any matter, however difficult, of which the conditions are sufficiently indefinite and obscure. Mr. Taylor reports briefly some of the attempts made in this direction, and the results reached. There is hardly an existing or extinct race of men with whom the Etruscans

have not been identified, to the entire satisfaction of the identifier and of a small knot of friends and admirers, but to the incredulity or ridicule of the general community of scholars. We do not recognize, among the names mentioned by our author, any which we are accustomed to regard as possessing authority.

Such names, however, are attached to one, and the latest, of these attempts, to which Mr. Taylor makes no allusion. It has been understood for two or three years back that Corssen, a German scholar who is famous among the foremost for his labors upon the history and phonology of the Italican languages, has convinced himself that the Etruscan was a member of the group, akin with Latin and Oscan and Umbrian, and is writing a work to demonstrate the relationship. Professor Ascoli, of Milan, the greatest of living Italian scholars, and a leading authority in the modern science of comparative philology, declares, in his admirable *Corsi di Glottologia*, his undoubting belief in the same doctrine. A colleague of his, Professor E. Lattes, has published a series of essays, in the Transactions of the Royal Institute of Lombardy, intended to prove it; and the well-known scholar and critic, Schweizer-Sidler, of Zurich, expresses in Kuhn's Zeitschrift (xxi. 278) his entire acceptance of the proof. Here is a body of authorities such as was never before arrayed in favor of any opinion upon the derivation and connections of the Etruscan language; and we have every *a priori* reason for supposing that the problem long found insoluble has at last yielded to the superior and better-wielded forces of modern linguistic science. We are not called upon to accept the solution on authority alone, until the proofs and arguments have been made fully accessible and have passed the critical revision of a larger number of scholars; we are even justified in looking with some incredulity upon a result which, if really attainable, ought, it should seem, to have been reached long ago; but we are at least required to hold our opinions in suspense, till we shall see what is to be said for the new view, and to scrutinize meanwhile very sharply any other that is brought before us on inferior authority.

It is, therefore, an unfavorable time for a work to appear from the hand of a man who has not made for himself any name in ethnology or philology, and who claims to have settled the question another way. Mr. Taylor thinks that he proves the Etruscans related, beyond a peradventure, to the great Central Asiatic, or Ural-Altaic, or Scythian, or Turanian family, of which the Hungarians, Finns, and Turks are the other principal European representatives. In examining his theory, our inquiry must first be turned toward the signs of philological method which his argument exhibits: does he show that he is

capable of comprehending and approaching a philological question in the only mode which will now be accepted as capable of leading to valuable results? And the answer will be decidedly in the negative. He recurs, rather, to the old superficial and hap-hazard way of etymologizing which was in vogue before the era of modern philology began, only varnishing it over with a thin coat of apparent science. He takes the immense and heterogeneous mass of the so-called "Turanian" dialects, languages which have not yet been proved by thoroughly satisfactory evidence to belong together as a family; he turns in among them the Egyptian, Caucasian, and Yenisean tongues, which no sound philologist has dared to rank as "Turanian" at all; and among them all he has no difficulty in picking out words and forms in abundance with which to compare his Etruscan material. That is simply the whole gist of the volume. There is no need to examine and criticise in detail the comparisons made and the conclusions drawn by such a method. Those who have given themselves the trouble to do so have found what was to be expected. An eminent English scholar, W. Wright, has pointed out scores of cases in which Mr. Taylor has taken Arabic and Persian words for Turkish, and compared and identified accordingly. It were useless to blame the author for this; it is nothing more than the natural result of his way of working; the rest is not really any better, though it may not so easily be proved bad. Let a man go off etymologizing among languages which he confessedly knows nothing of, and this is the sort of harvest which he must look to reap. For example, Mr. Taylor takes *mach*, one of the six words or fragments of words found on the sides of a pair of dice, and constituting the cardinal point of his demonstration: he first assumes it to be an unabbreviated numeral, then to signify "one," then to have meant originally "finger"; and finally he hunts it through the whole Altaic vocabulary of words for "finger," finding and rejoicing over such equivalents as Hungarian *ej*, Turkish *bir*, and Samoyed *om*. The whole process is a marvel of unsound and uncritical etymologizing. It is in vain that he would defend it by pointing out the apparent discordances between confessedly related words in our own family of languages. There is all the difference in the world between following out the slightest hints of correspondence in languages whose relationship is already demonstrated and whose laws of correspondence are worked out, and trying to demonstrate relationship by them. The summing up of the argument in the last chapter is just as characteristic. The Etruscan, we are told, must of course be either Indo-European or Semitic or Turanian, — there being, we suppose, no other families of speech in the world, and no possibility

that Etruscan should be, like Basque, an isolated remnant of a lost family. But it is neither Indo-European nor Semitic, — those languages, unfortunately, are too well known to be juggled with after Mr. Taylor's fashion. Hence, it is necessarily "Turanian"; and it only remains to determine which of the branches of that great family it cousins with most nearly: the decision is, suitably enough, in favor of the least-known group and the one most uniformly considered unrelated with the rest, — namely, the Yenisean! But more than that the exquisite delicacy of the process enables us to determine: it is only the ruling class that have wandered from the heart of Siberia, to gain and exercise dominion over a populace of Finnish origin!

Mr. Taylor supports his conclusion from linguistic evidence with plenty of correspondences in myth and religion and manners; but they are far too shadowy and indefinite to be of any value by themselves. The science which founds ethnological deductions on such material has to make great advances before it can claim to establish anything satisfactorily. A valuable treasure may perhaps lie hidden here; but it is inaccessible hitherto, — and will always remain so to hands as hasty and heedless as those of this author.

As a handy volume of information respecting the Etruscans, as containing record and ingenious discussion of some of the inscriptional material of their language, and as calling anew general attention to the subject, Mr. Taylor's work will not be without value; but it will make no permanent impression on the opinion of scholars respecting the questions which it raises and discusses.

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14. — *Famous Trials.* By John T. Morse, Jr. Boston: Little, Brown, & Co. 1874.

"Je ne vois que la condemnation à mort qui distingue un homme; c'est la seule chose qui ne s'achète pas." The reason given by Stendhal's heroine for her preference is peculiar to that charming, though cynical, young lady; but her interest in criminals is common to all. A more simple expression of it, in real life, is found in Marjorie Fleming's Diary. "The history of all the malcontents as ever was hanged is amusing," was the result of her studies, at the age of seven. At all times, to persons of every nation, age, sex, and condition, whatever their varieties of education and taste, the story of a criminal trial has been fascinating above all things; and he who tells that story faithfully will never want an audience. From Orestes to Orton, from Æschylus to Mr. Morse, the heroes and the

reporters of their proceedings have enjoyed a well-deserved popularity.

This book contains an account of six of the best known modern trials. More than two thirds of it is filled by the Tichborne case; and no less space would have done justice to that gigantic mass of speeches and evidence. Whoever has followed, even in the most cursory way, the detailed reports of the English papers, will wonder that so much compression was possible. To try to compress further, and give any account of the trial within the limits of a book notice, would be absurd. The story is well told, and the most entertaining parts of the evidence are reproduced in full. The only part of Mr. Morse's remarks to which we take any exception are his strictures on the charge of the Lord Chief Justice, "a magnificent performance of an immense task," as he very justly admits it to have been. It is true that the charge was unfavorable to the prisoner; it is true that the evidence was commented on with a clearness and force which could have had but one result; but we do not therefore think the charge "rancorous," or "unjudicial." In this country judges are restrained, by statute and by custom, from expressing any opinion on the evidence. In England the daily practice is otherwise; and there is a good deal to be said for it, which can hardly be better said than in the words of the Lord Chief Justice in this very case: "In my opinion, a judge does not discharge his duty who contents himself with being a mere recipient of evidence, which he is afterwards to reproduce to the jury, without pointing out the facts and the inferences to which they naturally and legitimately give rise. It is the business of the judge so to adjust the scales of the balance that they shall hang evenly; but it is his duty to see that the facts, as they arise, are placed in the one scale or the other, according as they belong in the one or the other. . . . . If the facts make one scale kick the beam, it is the fault of the facts, not of the judge."

The remaining trials in the book are of much more moderate compass, and hardly less interesting. Troppmann's case is calculated to satisfy the strongest appetite for sensational horrors; and both this and the trial of Prince Pierre Bonaparte, related in the same chapter, give a very lively picture of the defects and absurdities of the French system of criminal procedure. The case of Mrs. Wharton affords a good example of the most contradictory and unsatisfactory of all evidence, — that of medical experts. The case of the "Meteor" is not a criminal trial at all, but involves questions of international law which will be interesting, perhaps, to quite as many general readers as lawyers.

The trial of Mrs. Fair, the last in the volume, is one illustration (it would have been only too easy to find others) of the disposition of American juries to acquit women of offences in general, and of the murder of men in particular, in the teeth of the facts and the law. Blackstone speaks of the tender consideration which the laws of England have for the female sex; a tenderness, however, which has not extended to a conclusive presumption of innocence, nor availed to save Maria Manning from the gallows, or Catherine Hayes from the stake. In our country, and in the present day, the feeling has not only been kept alive, but may be said to have been refined into an obsequious politeness. When women acquire the other rights which they call for, it may be hoped they will not lack the fundamental right of an impartial trial by jury according to the evidence.

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15. — *The History of Israel.* By Heinrich Ewald, Professor at the University of Göttingen. Translated from the German by J. Estlin Carpenter, M. A. Vol. V., corresponding to Vol. IV. of the original. London: Longmans, Green, & Co. 1874. 8vo. pp. viii, 520.

In October, 1872, we noticed Ewald's great work, and the first four volumes of the translation. This fifth volume is the history of Ezra, and of the Hagiocracy in Israel to the time of Christ.

The New Jerusalem hopefully began a period of reaction in Jewish history which failed to save the nation. It is pathetic to begin the era with Ezra, and end it with Herod. In Ezra's time there was no scruple against accepting the honest aid of Persian masters; but afterwards, when Roman favor was to be mediated only by an Idumæan politician, faithful Judæans asked of one another, Is it right to be an Herodian? Their temple, to which they would not admit the liberal Samaritans, had not kept Gentile philosophy from their priests, and their priests — an orthodox hagiocracy — were no prophets of what they knew. The law of Moses was reinstated in its old home, but the Mosaic spirit was not in the lawyers. The Persians set up the broken people to hand them over to the Greeks for a brief schooling; and after the Maccabees had proved their worthiness of the traditions of the heroism of their race, the "chosen people" became the prey of adventurers. Ezra's great effort was not in vain, for it gathered and held for five hundred years what strength remained; but as the nation withered under the blight of Herod, it was clear that any attempt to raise what was now not only fallen, but decayed, would be

in vain. So the time had come for an influence more radical than a hagiocracy could conceive, and abounding in forces upon which statesmen could not reckon, but for which they would be obliged to provide. Hitherto Israel had been a mortal power among other governments; henceforth its strength lay in an immortal influence upon its conquerors.

This long failure, and the beginning of this peculiar crisis, are the substance of the present volume.

It is curious to observe how the Jewish nation, considered apart from the fate brought upon it by its enemies from the outside, and regarded from the inside only in the light of political expediency, seems to have contributed to its own ruin by two reactions, — one in its government, and one in its religion. Continued union under the house of David would in the long run probably have served it better than disunion; but the people were uneasy under the taxes, and demagogues found their account in leading a rush towards every man's doing what was right in his own eyes. And in the period before us, when the temple was restored, the best Samaritans were right from their point of view in their petition to unite with the Judæans in the temple-service. Religion in Samaria probably suffered from the confusion of faiths in that region, and the worshippers of the one God needed the support of a recognition from Jerusalem. If old prejudices could have been so far overcome as to yield to the pressing need of a general union, and a national revival of religious sympathy, there might have been a stronger material afterwards for the Maccabees to work with. But of course the standpoint of political expediency alone cannot enable us to understand the Hebrew or any nation. Although the people were united under David and his son and grandson, they were also oppressed, and they rebelled for freedom. Although the Judæans needed a union with the best Samaritans in the age of Ezra, Samaria was full of idolatry, and Ezra had sound political and religious reasons for fearing the effect of such an alliance. He had lived among the heathen. He knew the effect of their influence upon those of his people who stayed behind when he came to the rescue, and he would not risk the dangerous experiment. It is the fashion among some writers, whose almost prophetic ardor for Aryan variety yields only to their scorn for what M. Renan calls the "arid monotheism" of the Semitic genius, to declaim against the bigotry of every period of the life of every people who have believed in the one God. But facts are very cooling in such heats. Here, in Ezra's case, is an instance of the alternative which is so often presented to such believers. Either he must unite with the Samaritans

on sentimental grounds, and run the risk of lowering the faith in the true God to the level of the idolatry that flourished through Samaria; or he must with whatever regrets reject the proffered friendship, and take the consequences of entire devotion to the sure success of the creed which furnished the best impulse to the national life. Ezra was politically wise as well as religiously faithful when he saw and felt that to attempt an expedient which demanded a surrender in Judæa of the very advantage which it was intended to secure in Samaria was folly, and folly in such a matter was to an Old Testament leader practical atheism. It may be urged that Ezra's policy, instead of preparing a broad and open way for Christianity in Judæa, set up the hagiocracy to oppress the people with the yoke and burden of an arbitrary and unspiritual application of the law, and so far from helping the teaching of Christ, was a root of evils which the gospel had to overcome. But we maintain that, at whatever cost, it was essential to keep the supremacy of the national faith fixed high in the minds of the people, and this would not have been done by a lax policy of fraternization with semi-idolatrous neighbors.

Ezra did not know that there were five hundred years to come before the greatest man of the Hebrew race would "fulfil" the law; but Ezra did know that unless he and his coadjutors used the remarkable opportunity given them by the heathen, to ensure a perpetuation of the ancient faith in its purity, there was danger that before long there would be at least no record of the law either to fulfil or to destroy. And whatever might be the defects of a system whose chief maxims were, "be circumspect in judgment," "train up many scholars," and "make a hedge around the law," the law and its history, howsoever preserved, were sure to find some minds to appreciate and many lives to obey their real meaning. Ezra was no religious or political fanatic. He was an ecclesiastic and a jurist, and to his common-sense as well as to his depth of faith in the religion of his fathers is due much of that zeal for the old religion which just before the Christian era spread over the West synagogues where the Apostle Paul was afterwards to find a hearing, and stirred hopes in Palestine which were fulfilled by the life of Jesus Christ.

These opinions agree in general with the views given in this volume. We will quote only a few words: "The hagiocracy, then, was the constitution which, immediately on the final liberation, inevitably issued from the great internal transformation which had been so rapidly accomplished by the exile; and its formation was so necessary and was effected so definitely that, for the whole of the six or seven centuries of its history which yet remained, it maintained itself

essentially unaltered. It is always the focus of the highest efforts of these last ages; and when it seems from time to time to be fading away, it is only that it may at once reimpress its stamp still more distinctly. Establishing itself at first but slowly and amidst much opposition, it becomes at last the mightiest and most firmly developed power of the age; as though it were to be the mail-clad body in which the soul of the reawakened community, assembled again in the ancient fatherland, made its final and strongest effort to maintain itself in the isolation in which it was fortifying itself again." (p. 61.) To this Ewald adds a charateristic note, saying: "This and all that follows from it is the decisive feature which absolutely separates this hagiocracy from that of the Papacy. The former was necessary till the time of Christ, for no human power could prevent it; the latter has now rested for centuries on the simple obstinacy of men and on continued and increasing culpability."

The history of Herod's remarkable career is well told, and the discussions of his abilities and character are very interesting. There is a striking account of his relations with the hagiocracy: "The hagiocracy was not openly and fundamentally contradicted by Herod, although he had at heart no honor for it, and in some cases even transgressed many of its prescriptions. But it was unable to make him a better and holier man than he was; it had allowed him to grow up with this nature, and during the thirty-four years of his reign it had not the smallest power to improve him, or make any deeper impression upon him. For it is its peculiar danger to encourage the outward veneration of an old-established religion, which is not, however, understood in its real depth or applied in all its vitality. What was only, therefore, a characteristic possibility in the shape offered by the hagiocracy, was hardened in Herod into the most terrible sin; and if it was the guilt of this particular individual to have given practical shape to this offence, the hagiocracy, by the mere fact of its tolerance of him and its inability to arouse any fundamental opposition to him, or even for the sake of outward tranquillity to dispense with him, revealed its own great weakness and helplessness. . . . . The hagiocracy had already begun to show under the Asmoneans that it was precisely the strongest party in the state which it was least able to sanctify: it now reveals the same incapacity still more incontestably, nay, in the most striking instance possible." (pp. 421, 422.)

An Index is appended which renders more accessible the vast quantity of historical information which the volume contains upon many topics not in the scope of a dictionary of the Bible.

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Art. I. — The Modern Type of Oppression.

There are two kinds of liberty, unlike in character and often opposite in effect. The one consists in the mere absence of restraint; the other, in such an order and discipline as shall make the relations of men wings rather than fetters, salutary, serviceable, productive, rather than a means to demoralization and degeneracy. Now, it is apparent that the attention of the modern world has for some time been devoted chiefly to the first named, that is, to the liberty which consists in being left to follow one's personal inclination. The stress of effort for a century has gone to the removal of social restraints, as, for example, in that setting aside of restrictions upon the liberty of assemblage, of speech, and of publication, which, if complete only in England and America, has more or less taken place in all civilized lands. These changes constitute an important amelioration, and it is by no means with a design to disparage them that we remark upon the peculiar and somewhat exclusive character of modern reform. The century has done well to deliver itself from many restraints, which, however appropriate to the moral conditions of an earlier age, were only hindrances or impertinences in ours. Liberty in the customary sense, that is, the free initiative of the individual, contributes greatly to impulse, energy, enterprise, zest, and thus is the proper correlative of a capable social discipline: combine

the two, each at its best, and the highest productivity of civilization is provided for. Our time, however, has set its heart upon one of the two, to the temporary neglect of the other. We disestablish, displace, abolish, make room for "the voluntary principle," and meantime hold it for the highest merit of government, not that it should be wise, capable, steadfast, able to secure for the nation the liberation of social health, but that it should be in the nature of a weather-vane, well poised and oiled, to turn with every wind.

As there are two kinds of liberty, so also there are two distinct types of oppression, the one proceeding directly from government, the other from the want of it, or want of knowledge, understanding, consistency, sequence, in its conduct. The former exists where the just, wholesome freedom of personal choice and action is of purpose invaded, restricted, taken away by a public authority, which, set over against the nation as an opposite interest, is strong and selfish enough to indulge itself at the nation's expense; and there are many who will regard no other as possible. The latter, which, nevertheless, is but too possible, exists where, in the absence of a sovereign, sanitary control, liberty becomes lawless and a canker; where egotism, unrestrained, runs riot; where private interest, abandoned to its own conduct, becomes predatory; and where, to crown all, government itself, amid the great factions of private force, resembles a weak nation between powerful and contending neighbors, forced into an alliance now with this, now with that, and strong enough to afford either a decisive reinforcement, but never strong enough to maintain its independence, still less to impose peace. One oppression, which government may of purpose and upon system inflict; another, which it alone can prevent, and which, in a complex, powerfully motived civilization, it will be able to prevent only by having a masterly head and skilled hand. Is the latter the less frequent or less fatal of the two? He that reads history as it is, instead of reading his own bias into it, will scarcely say so. Despotism is undesirable, but candor must confess that under a despotism civilization has been seen to prosper and arrive at better things; in a condition of anarchy, with that multifarious self-oppression of a people which comes of it, civilizations have many times been seen to perish, never

once to grow. Mexico, during its subjection to a form of delegate-despotism, which is a bad kind, grew in numbers, in wealth, in education and arts. Careful computations made by Alexander von Humboldt show that the ratio of births to deaths was 175 to 100. During forty years of no-government, misnamed "republic," not only was there a miserable lapse into poverty and ignorance, but the population remained stationary, its entire natural increase consumed. If it is bad to be beaten or bound, it is not felicity to commit suicide. From a strong and selfish government large classes may suffer the one; without able government, society is always on the way to the other, perhaps dealing itself great strokes of revolution, perhaps slowly pricking itself to death with pins. As the individual body incessantly generates poisons of which it would perish, were not their elimination also systematic and unceasing, so it is with society; private interest, if not kept momentaneously under correction by an honorable and aerating public system, breeds plagues, which, having destroyed whatever is nobler, are fatal at last to their original.

In making this sort of oppression an object of attention and reflection, the American citizen simply resumes that point of view from which the political history of his nation goes out. The Federal Constitution owed its formation to a painful sense of just this. Liberty, the liberty of unrestraint, was the felicity of 1783; a means to put it under official control, to make Obligation its master, and to force upon it the regimen of health, was that of 1789. When the War of Independence closed, the people, with some exceptions, stood in a negative attitude toward government in general; they thought, with Jefferson, that "energetic government," under the republican form as under another, "is always oppressive"; and they rejoiced with him that in their happy land "the necessary evil" was reduced to a minimum. Stern fact soon made havoc with their complacency. What arrived was anything but the golden age expected. It was inexplicable; there was no government that *could* oppress, all public burdens were thrown off, the pursuit of happiness left open as never before; within was the achieving genius of the Anglo-Saxon; without, prodigal wealth of natural estate: yet instead of elasticity, languor; instead of

bounding motion, debility dragging its feet; instead of happiness, a pursuit of it to catch the contrary. Everywhere was that "rage of private interest" which Marshall signalizes as characteristic of the time, and yet no prosperity. Here was a people that would not honestly try to pay its debts, but that spared payment only to sink in poverty. Commerce was seen with empty holds and rotting ships; capital with closed coffers, fearing to venture; labor with idle hands; meantime, over large sections of the country, expenditure grew lavish as means diminished. Egotism, envy, distrust, corrupted social relations, and, as usual, conscience and understanding were corrupted with them; wild revolutionary fanaticisms — customary product of such conditions — arose and burst into war. Such was the actual present, into which that painted future had emerged. "We have thought too well of human nature," wrote Washington, sadly. Better, and truer to his real thought, had he said, "We have thought too ill of the conditions under which human nature can do itself justice." Society, as a mere inorganic aggregate of individuals, is natural to wolves, and unnatural to the civilizing genius of man; and if human nature in an unnatural situation fails to bring forth its best, what wonder? Morals were as little designed to have their sufficient effect without institutions as hands without tools. A systematized public virtue, sovereign in power and instant in effect, makes, one might say, the climate in which alone private virtue can generally thrive, and without which only here and there an impregnable constitution will keep its health. Or, more specifically, such a system is necessary in four ways: first, as a fixed moral capital or estate, laid up in customs and laws for the behoof of all, so that conscience need not perpetually go forth barehanded to struggle with the rudeness of primitive conditions; secondly, as a bridle to private interest; thirdly, as a protection against violence and fraud; lastly, as a means to that union which alone furnishes the hand with either defensive strength or productive power. The Federalists got an eye upon such truths, and began clearly to discover why their paradisiacal expectations had been so disappointed. They saw that oppressions spring spontaneously, like malaria from undrained lands, in

defect of a right public system; and they perceived, too, that, as the stoutest walker walks with no success when up to the hips in a bog, so conscience flounders and becomes unclean without a firm public ground.

This perception, made keen by a grinding experience, determined the character of their politics. In framing the Federal system at Philadelphia, and afterwards in putting it into effect, their thought was: the people, that is, the mass of private interests and inclinations, must be *governed*, governed by choice abilities and efficient means, or, as the alternative, it will breed for itself oppressions to swarm like locusts, swarm and devour. They believed that, with assiduous cultivation of a right spirit, it could be thus governed with its own consent and co-operation. By no means, however, did they prefer the republican system as being less a government than any other, and the nearest approach to none at all. Quite the contrary; they saw in this system the likeliest means to put choice abilities in power, to secure them confidence when in power, to relieve them of hampering jealousies, and thus to make a government distinctly more effective than any other, — that is, should the people show a spirit equal to the *rôle* attempted. That was "the experiment of free government," as Washington understood it, — an experiment, not at making a government which should rule only as the weathercock rules the wind, but rather to see whether the people would faithfully choose men fit to govern, and then let them do it.

There was another party, that wished only weathercock-rule. To these men the Federal system was an offence. Jefferson uttered their feeling when, at sight of the new Constitution, he wrote to Colonel Smith, "You have been setting up a kite to keep the hen-yard in order." Having mentioned Jefferson, we may as well take him for a type of that political direction, which in his time he led, and as whose risen Elijah he is remembered. Abroad during the miserable, demoralized years of the Confederacy, he had but distantly heard of the prevailing shames. For a while, he would believe no word of the reports that reached him, denouncing them as "British lies." When at length his self-pleasing incredulity was forced to give way, when it became plain that the American States,

bankrupt in pocket and on the way to be so in morals, were making their liberty a byword and a hissing to the world, then he chose to see in the unwelcome fact, not the effect of a situation made by a false direction in politics, but rather a native trait of American character. "Among many good qualities, which my countrymen possess," tranquilly wrote he to a foreign observer, "some of a different character, unhappily, mix themselves. The most remarkable are indolence, extravagance, and infidelity to their engagements." The last named, however, was an accident, not a vice. His countrymen were not rogues; they merely liked spending, hated work, and chose rather to promise and not pay than either to labor or spare! The remedy was to let them run in debt until no sane mortal would trust them more. They would work when they must do so or starve; they would be frugal when want of credit and indisposition to labor should render them so; and they would break no engagements when unable to make any, — when, their word everywhere known for counterfeit coin, all the world should cast it contemptuously back. In all this, meanwhile, he was playing the optimist, and looking on "the bright side." A people has indeed sunk low when its sanguine friends are driven to *hoping* for it in this style. Washington's mourning over the evil days seems rapture beside this smiling prognostic.

There was, however, an alternative in the case; the evils of the time must be attributed to defect of character or defect of government, one of the two. Now, to the latter Jefferson would on no condition impute them. That oppression could spring from liberty, that is, from private interest and the individual pursuit of happiness, when not made amenable to the laws of social welfare, was to him a proposition not only preposterous, but flagitious; action proceeding from that point of view was, as honest action, unintelligible; corruption or treason *must* be at the bottom of it. His prepossession had been strengthened by observation. In France he had seen what partly was, and partly but appeared to be, the selfish rule of a class whom long isolation in hereditary privilege, divorced from all serious duty, had debauched in morals, while estranging them in sentiment and interest from the nation at

large; and in their hands government had been made a gold spoon for the idle hundreds, and an iron yoke for the toiling millions. All the virtue there was in the man rose up against that injustice; and his passionate aversion to it was, perhaps, his most honorable trait. In this, again, he saw the type of all oppression, real or possible. To guard, therefore, against this seemed to him the sum of all wisdom and all rectitude in politics. Hence his political direction. According to him, the dominant design of all republican politics is to find and put in action a means, not of wisely, ably, justly governing the nation, but of governing the government; not of making a public system superior to the mass of private interests and inclinations, but rather of securing to the latter an instant and unqualified supremacy. Any government whatsoever, as distinct from the people in person, he regarded as an adulteration of republicanism, and as sure to destroy it altogether, if not endowed with an excellent incapability to do anything but wait upon what might appear at the moment to be the popular will. In constituting its *personnel*, one should, therefore, seek a fitness, not to govern, but to be governed; not to counsel and devise, but to receive orders and comply; not, in short, to find out *for* the people, but only to find out *from* them, what measures should be taken. The Constitution provided for a responsibility of the government to the people, to be effectuated by periodical election; Jefferson insisted upon more, he must have a "*direct* and constant control" of it by the people, as he could not often enough say. This object implies, first, a principle of selection at the polls; secondly, a principle of conduct at the capital. At the polls one will inquire for quick ears rather than capable judgments, for a pliability to what may be thought the people's will rather than an intelligent devotion to its weal, and, having to choose between the two, will always prefer the supple readiness of a 'prentice hand to the devising head of an independent master. At the capital the persons chosen are not to find out by a broad study of facts what were really best for the nation; *they* have no liberty to judge what were best; they are there to study only wishes, and to exercise themselves in pick-thank legislation; they *may* put forth "motions" as feelers and ascertain what will "take"; they

must hearken outside, conjecture as they can from the greater noise where is the greater number of voices, and act accordingly, complying promptly with the prevailing wish, if they can find one, industriously doing nothing, if, among the many noises, no one seems clearly preponderant. We are to have a legislature of forty millions acting by a proxy of two or three hundred, — a proxy not generally commissioned, but to be under "direct and constant control"; we are to have an executive of forty millions publishing its will through a Presidential town-crier. That is to be the ideal of representative republicanism.

It is known which of the two tendencies prevailed. Jefferson, in the first year of our century, his elevation to the Presidency secure, and his soul elate with victory, spurned the republicanism of Washington and Adams as no republicanism, but "only its travesty"; twelve years later boasted that "the revolution of 1800," signified by his own election, "was as real a revolution in the principles of our government as that of 1776 was in its form." The boast was not idle; there had indeed been a revolution of principles without change of form; and what was the nature of it has been indicated.

Between those opposite ideals we do not here judge. But Jefferson judged his own so far as this: he thought it suited only to a simple, moral society, and despaired of it, as of government and society in general, from the moment when it should have to cope with the conditions of a many-citied civilization, like that of the Old World. "Our reliance," he said, "cannot deceive us so long as we remain virtuous; and I think we shall be so as long as agriculture is our principal object. . . . . When we get piled upon one another in great cities as in Europe, we shall become corrupt as in Europe, and go to eating one another, as they do there." The founders of the Republic had seen the eating one another already in process on their own side the sea, and wished for an able government, that could provide effectually against it; they were stigmatized as corruptionists, monocrats, monarchists, for their pains. Jefferson would not see that it had come, but saw it coming, and wished or hoped only to put off the evil day. "As long as the people can find employment in cultivating the land," he had written, "I would not convert them into mari-

ners, artisans, or anything else." Manufactures, however, were his chief aversion, since, he said, "I regard the class of artificers as the panders of vice, and the instruments by which the liberties of a people are generally overturned." He wished it were possible to exclude both manufactures and commerce forever, and to make the American people tillers of the soil exclusively, raising only "raw products," to be exchanged, he said, for foreign fabrics, imported in foreign bottoms. The happy situation might be a little prolonged, but could not be perpetuated; and with its passing away, he looked only to see America become what Europe was at the close of the eighteenth century, when politics and morals alike were at the lowest ebb. Meantime, his political principles were designed for a social condition recognized by himself as temporary, though this did not lessen his bitterness against those who, fostering the growth of that civilization which he feared, excited his fears yet more by seeking to provide for an able sanitary control of the interests that should arise.

The situation was to pass sooner than he dreamed. Not only was America to grow with unexampled rapidity in population, in wealth, in the magnitude and complexity of private interests; not only was it thus to fly Mr. Jefferson's ideal of a moral and pastoral life, requiring little government, and to acquire with astonishing quickness the needs of populous lands and old civilizations; but, moreover, at the opening of the century, just when his political direction became dominant, the whole civilized world was entering upon a series of economical changes, whose effect would be to empower private interest as never before, to mass interests against each other, to break up conserving customs with the conditions to which they had belonged, to mobilize civilization in an unheard-of degree, and thus to enhance immensely the need of a systematic sanitary control. Since the beginning of this century an entire set of new forces have been brought into play, all to be regarded as acquisitions, but all needing to be governed, and all, if ungoverned, dangerous. In presence of these, political duty is to be studied anew; and in view of them, the radical traditionalist, spinning out his little store of maxims borrowed from the century past, and esteeming himself the

most progressive of mortals when, with eyes shut to the living, pregnant reality, he opens an "advanced" school in the tomb of Rousseau or Condorcet, seems the saddest anachronism the time has to show. We propose a glance at some of these new developments, which enrich and endanger the civilization of our epoch.

1. The new means of transportation, travel, and communication have effected a social transformation of vast importance. From them has come an enormous growth of cities, a sudden extension of their influence, and a spreading abroad of the spirit of commerce, until it touches every workshop and farm-house in the land. Our former rural civilization, with its simple manners, moderate desires, and autonomous life, has as good as disappeared; the country is now but the suburb of the city. We remember when in a coast township two hundred miles from Boston the wages of labor and the prices of most commodities had a strictly local adjustment. Butter from the farm was sold at an invariable rate year after year. Wages were a dollar a day in haying time, two thirds as much at other seasons, and twelve or twelve and a half dollars a month for the year round. Cloth was made in the house with some assistance from a mill near by, which received a portion of the fabric in payment. Money transactions were extremely limited; money-making, as now understood, unknown. Fortunes, or what were esteemed such, — for he was rich who was taxed for ten thousand, — grew by the half-dollar, and with liberal use of the maxim that "a penny saved is as good as a penny earned." The ups and downs of the metropolis, the mutations, the chances, the shifts of commerce, still more of speculation, were matters of far-off rumor; the panic of 1836 – 37 went over like a wind in an elevated stratum of the atmosphere; one saw the clouds fly, and that was all. A third of a century passes; the township has gained little in population, less in wealth, not at all in the average of comfort; but the local adjustment and comparative fixity of prices, the easy calculation of income and expense, the independence of city manners and mutations, the homely, equable life, all have disappeared with the open wood-fire and the sanded floor. The change is typical of one that has taken place throughout the country.

Meantime, while the spirit of commerce has displaced so much, and made itself dominant, there has been an equal movement toward commercial centralization. Fifty years ago, Newburyport was an independent trading centre, more independent of Boston than Boston or Cincinnati or Chicago now is of New York. We know an aged gentleman, who formerly, as a wholesale druggist and importer in the little town first named, had extensive country connections in the northeast of Massachusetts and adjacent parts of New Hampshire; he lived to see the railroad steal them all away, and transfer them to Boston, while the latter city, in its turn, has been becoming dependent to a degree unknown and undreamed of at an earlier date. A banker, responding to some remark upon the wide effect of financial irregularities in New York, said, "Yes, disease of the heart is dangerous." The bold figure of speech was not too bold. Commercial centralization has already reached a stage where it may justly be compared to physiological unity.

Moreover, the connection, while acquiring this breadth and concentration, has become in the same degree quick, instant in effect. The means of communication act as a nerve-system, to propagate influence, and make it instantaneous. Financial combinations covering half a continent are effected, as it were, in a day. The palpitations of the stock exchange are felt like an electric throb from the Atlantic to the Pacific shore. To-day's doings or misdoings in the metropolis reach Bangor and St. Louis to-morrow. A grocer in Vermont or Minnesota, over his morning's coffee, inquires in New York, through the newspaper, at what price he shall sell a pound of coffee after breakfast.

To all this, regarding its effect on one side only, a cordial welcome may be given, for it implies a social vitalization more extensive, more unitive, and more active. To name the great cities of the world is to name its systems of civilization; the words we have daily in use, and *civilization* among them, testify to the closeness of the connection. But in the republics of antiquity a peculiar fact may be observed: they are bisected; a gap wide and deep lies between the city and the country; the whole life consists of municipal civilization on

the one hand, and rural barbarism, or what closely approaches it, on the other. It was the feudal system which took the first great step toward a genuine rural civilization, graced with manners and arts; over its grave, where it lies little honored nowadays, one may thank it for this vast piece of service. The new means of communication, however, are resuming its work on a larger scale, and making such a future as had no antitype in the past. A century since, Paris was a nation of half a million, with twenty-four millions of dependants; but not long ago M. Thiers, with his peasant army, was thundering through the throats of cannon at her gates the news that France had become the nation, and Paris but a city. He announced the fact; the railway had made it. The old duality disappears, the old deadness of the extremes along with it; and if disturbed conditions, spasms of pain, flushes of fever, and a new sense of defect in the social morale keep it company, none should be surprised and none discouraged.

Obviously, however, this condition requires for its health a finer public regimen, a more effective public discipline. The larger the spread of sail a ship carries in a wind, the more skilled and able should be the hand at the helm. So the higher the vitalization of society, as of any organism whatever, the more effect of *system* there should be, and the greater promptitude, precision, delicacy, sequence, in its effect. If the social *morale*, as maintained through the medium of institutions, does not become more capable and commanding as social activity increases, oppression arrives, the worst oppression, that of demoralization and disease. Here it is that modern civilization labors. It has proceeded from one degree to another of commercial mobility; centralization is every day more complete, connection every day more close and quick; the railways and telegraphic wires are multiplied nerves, the cities nervous centres and batteries to propagate influence, the nation all one complexity of sensitive life; and meantime the head, the controlling power, that should propagate yet more quickly, yet more vigorously and surely, the effect of a wise, healthy, sovereign system, — what of that? That is to be whatever the varying combinations and push of private interests may for the moment make it. It is an ideal that one can scarcely

regard as well suited to the reality and its demands. In the midst of our swift-rushing civilization, the public system, even when carefully made capable rather than incapable, too often resembles one who should attempt to steer a ship of a thousand tons with the tiller of a cockboat, or to balance the action of a cathedral clock with the pendulum of a parlor timepiece.

2. The modern system of credit, with the banking system that has arisen to be its agent and exponent, is not strictly a creation of the present century, but has obtained in it so sudden and vast a development that it might be considered as such. Debt and credit there have been in all ages; but the time is not far behind when there were no national debts, no bank-notes, no commercial paper in customary circulation, no debts but such as were contracted between two individuals standing face to face; now debt and credit are the element in which the world's economy lives, moves, and has its being. The spirit of commerce, we have said, has become ubiquitous. With commerce goes credit as its inseparable accompaniment, working to like effect, and making still more of that mobility which is the peculiar modern condition.

In some sense, credit is the flower of civilization, that is, of the human virtue which makes and sustains civilization. What is it at bottom but a trust of man in man so stable, so guaranteed, that it passes in the market, counted as gold? Between man and man, however, in mere individual relation, no such trust ever did or can arise on a scale to become a great social agent. Only a virtue which has the breadth and coherence of a state, and the effect of law, begets it; only a system of social order so continued and assured that its effect is taken for granted, renders possible this raising of trust to the degree of a stated economical power. It is a late effect of that liberation which civil institutions, and the victorious unity of civil virtue in them, secure, — a liberation by no means to be found in Rousseau's "natural liberty." That it demands more of what made it, — that when inventive skill has created the locomotive engine, another skill must manage and make it safe, — that without this rising to an equality with our own work, we shall be mastered and mangled by it, — is understood. But the fact remains; credit is a product of

social virtue, as the engine of invention and mechanic skill, and it exists as the diploma of civilization, attesting that it has graduated with that degree.

The medal has its obverse. The bright side has been suggested: there is a shadowed side also; and it is the sanguine coward, courageous while and because he believes there is no danger, who will look on the bright side alone. No need now to say that riches may take wings to themselves; they are only on the wing, ever in flight, whether or not to fly away. All pecuniary interests, with which all moral interests have a connection so close, are grown precarious. If, now, we suppose, what, unhappily, may be more than supposed, a large proportion, not easily distinguished, of delusive credit, reposing on no proper basis of either capital or character, and in the nature of a forgery upon the community at large; if we add extensive combinations and powerful appliances, designed to act upon credit otherwise sound, like those who set fires that they may pillage while others are fighting the flames; if, accordingly, it becomes a stated necessity in the conduct of business to trust practically what the mind can but half trust at best; if, by consequence, legitimate trade and honest investment, reduced to conjectural ground, are reduced also to venture like the gambler, turning the dice-box to take their chance; — if this be, not wholly indeed, but always in considerable part the situation, what ensues? The financial condition resembles that of lands extremely subject to earthquakes, where the ground is always shaking, and may at any moment open under the feet. Is it not approximately the modern situation? "Panics," that are to finance what earthquakes are to the globe, have already acquired an irregular periodicity; while if these do not arrive, to shake our Lisbons down, it is commonly because the same thing is distributed, manifesting itself as chronic rather than acute. The moral force of civilization has produced an agent which its immoral forces seize upon and use against itself; it has become a business to catch credit with lying shows, to blow bubbles with only foul air inside and pass them off for sterling substance, or to "corner" honest credit and extort toll; what the virtue of civilization has brought forth, its vice captures and turns against it.

The situation tells upon morals, upon intellect, upon physical health, upon sanity. Buckle, in his chapters upon Spain, remarked upon the moral effect of a constant liability to earthquakes, asserting that a shaking ground unsettles civilization; unsettles, as it were, the human soul itself. His observations might have taken a wider extent; all instability, social as physical, above all, instability of a nature to fire the hopes and spur the fears of egotism, works to the like effect. Niebuhr, again, was persuaded that more than once the morals of a civilization, and therewith the civilization itself, have succumbed to a great pestilence, first with that egotism of terror, then that contempt of precaution, since no precaution seems to avail, which are induced by it. A commercial panic is a pestilence in its way, and in the realm of morals is always more or less destructive, often severely so, while that inflation of spurious prosperity, which alternates with collapse, corrupts yet more. Finally, a constant condition of financial insecurity not only seduces conscience and extinguishes honor, but induces a peculiar *low* concentration of mind, which, become habitual, incapacitates it for the genial expansion of good sense. A Blondin, balancing himself upon his rope, must have his soul in the feet, — a focusing of the mind not likely to give it either elevation or breadth. Modern trade, insomuch as it has an ever-fluctuating credit for a foothold, is placed somewhat in the same position. The rope, too, has rotten strands; one ventures upon it, hoping that it will hold this time!

It is certain, then, that the system of credit, as now developed, is an immense acquisition, and certain, too, that, as now conditioned, it is subject to abuses egregious, outrageous, perilous, not always to be endured. How, now, to correct these abuses? It is one of several hard problems, which our own and the ensuing age will have to solve. Certain, meanwhile, that they will never be corrected by private action alone: government must help, and be capable, as well as beyond suspicion sound, that it may help.

3. Another modern phenomenon is the private corporation. Here, too, it is a vast productive force which one has in view. That massing of capital, effected by means of this modern institution, and seen to be proceeding daily through leagues and

coalescences to aggregations more and more enormous, has given to enterprise another right hand, the hand, too, of a Titan. When the modern individualist spirit, become fully established, had given to all activity a corresponding form, it might have seemed that works to rival those of antiquity, as of Egypt, India, Assyria, — works accomplished by the massing of men in subjection, — had ceased to be possible. In Burke's great speech upon "The Nabob of Arcot's Debts," he observed that in the Carnatic alone were to be found above eleven hundred public reservoirs for irrigation, from the extent of some acres to more than five miles in circumference, "built," he said, "with admirable skill and labor, and maintained at a mighty charge." The British government, strong only in the strength, and weak with the infirmity, of our individualizing times, could not even keep in repair those noble resources, which the "insatiable benevolence," as the great rhetorician called it, of ancient rule had provided; and the famine, that strewed the Carnatic with unburied dead, came in consequence. To the ancient massing of men succeeds, however, the modern massing of capital, and powers that seemed lost forever are restored to civilization.

Of this much has already come, while its effects, so far from being exhausted, or even approaching their predestined term, are, we believe, scarcely as yet in full prospect. Who knows what reclamation of wastes, what restoration of denuded lands, what systems of drainage and irrigation wellnigh continental, what corrections of climate even, may one day issue from it? Imagine this force brought to bear in its grandest proportions upon the valley of the Amazon, upon the wilds of Africa, upon deserts that are such from mere luxuriance, regions starved by abundance, barren from over-fecundity, and closed to civilization by their very ability to feed it. What other power has the world now in hand, that were able to tame the tropics? The railway, according to Mr. Ruskin, makes the globe in effect smaller, by reducing distance; but the power which is behind the railway can, on the contrary, render it, as a household for man, incomparably more spacious.

By nothing, meanwhile, is civilization more gravely menaced than by this very ally. Once again, through its access, civiliza-

tion is in one of those immature, expectant stages, which announce an abler epoch, but which, in doing so, announce added obligations, new tasks, a fresh travail of intelligence and pain, it may be beyond that of death, as the price of a richer life. Ever the appearance of unprecedented powers is a sight to elate the thoughtless, and to sober yet more deeply the minds that were sober before; for they come to serve only if duly commanded, and otherwise to destroy. In the present case, our Titan has already sufficiently shown, but is daily showing afresh, its extreme need of a master. Unregulated, it has organized exaction, pampered fraud, systematized pillage, given castles to corruption, made dukes and archdukes of plundering speculators, and afforded but too good excuse to the craze that shrieks against capital itself.

Neither the morals nor the industrial interests of civilization can endure always to be preyed upon in this way. Massed capital is a good thing, but massed extortion and massed fraud are not good; a means must be found, a sure means, to prevent the good thing from becoming the bad one. This new agent simply *must* be put under control. In our country there is a disposition to attempt the work, or one section of it, but in what seems to us an unhealthy and unpromising way. In the "granger" movement, one aggregation of private interest is pitted against another, resolved to capture it, if possible. Whether the capture will be effected seems doubtful, supposing it desirable. Little good will come of it, we apprehend; and if not good, then evil. Social dissension, disruption, one more fissure of that social unity which is the safeguard of national unison, have already come of it, and are too likely to continue doing so. Now, social contention, without a clear, commanding, wholesome decision as its result, makes political indigestion, and by continuance renders it chronic. The agitator, administering his dose from the platform, will have a wholesome effect, provided he is not a quack, who relies upon the fact that there is disease to prove his nostrum the proper curative, and provided also there is a public system, which can respond by throwing the medicine off, and the affliction along with it. But when conspirations of private interest, on this side and that, marshal their forces and wage their war, while

the public system is upon principle made such that it *can* but trim and try to please, agitation even against indubitable mischiefs is likely itself to be but another mischief added to them.

4. The free commerce and free competition, which in recent times have succeeded to a system of multiplied restrictions, have brought obvious and important aids. Free commerce makes the whole world every man's market, in which to buy and sell. It enables those who have special advantages, natural or acquired, to obtain the fullest use of them, and at the same time to impart their benefit to the largest number. Meantime, it obliterates provincialism, liberalizes men by a large acquaintance, promotes a good understanding between nations by customs of peaceful, profitable intercourse, and is probably doing more than any other one influence to soften and civilize the international code. In respect indeed to the comity of nations, it has succeeded to the *rôle* assumed in the Middle Ages by the Catholic polity; and if there be in the modern equivalent for ecclesiastical administration less of heaven, there is in it less of hell also. Free competition, again, which belongs to the same system, has aspects exceedingly favorable, though, to be sure, it has been prejudiced by a celebration too profuse and too little discriminating. It is valuable, in the first place, as a principle of unconscious regulation; regulation accomplished, not by any express mechanism, liable always to get out of order, and costly even when perfectly in gear, but by the ordinary effect of human motives. Free competition, again, develops by demanding individual resource; it puts every man upon his mettle, tempts enterprise, and makes each the nursling of that necessity which is the mother of invention. The free initiative of the individual does so much to evoke activity and give zest, that there cannot be too much of it, provided only it is so kept under correction as not to im peril social stability, coherence, and health. Once more, free competition is praised, and with reason, as a principle of "natural selection"; it sifts out incompetence, we are told, gives the tools to him that can handle them, and, pushing every man toward the place where his abilities will serve him best, secures also to the community its benefit of their most effective use. In some such strain are its eulogists accustomed to speak of it,

and there is sense in what they say. We have reason, therefore, to reckon this system among the signal acquisitions of the modern era.

It is good, however, with one indispensable condition, one, if no more. Let probity compete with probity, faithful skill with the like skill, let there be a fair rivalry, and the prize go to the best man; then morals are conserved, while industrial pressure is always toward more and more of what is good. But if probity must compete with permitted fraud, genuine with deceptive production, then the pressure is in the opposite direction, and a principle of *un*natural selection put in force. Now, that a large and severely oppressive proportion of this has got into the modern system of competition, is a fact that no assiduity of winking can wink out of sight. Law, disconcerted, in despair, looks on and lets the thing go. Government does indeed try its hand here and there in a small way, as in forbidding milk to be watered, or the flesh of animals which have died of disease to be sold as food; but in general we have given up, and know of nothing better than that every man be put upon his wits, and make his own suspicious eyes his guardian as best he can.

It is indeed certain that government cannot undertake with success to be wit for all the simple, and knowledge for all the ignorant, but it is also certain that the business of leaving every man to fight it out with all others, may be overdone. If, meantime, this setting of every man to buy with the eyes of a detective be relied upon as a sufficient means to keep up the standard of production, and to assure its morals, the reliance is obviously ill placed. Within the present century there has been throughout the world a marked deterioration in the quality of ordinary plain work. Not to speak of the extent to which the adulteration of foods and fabrics goes on, one must recognize a tendency toward slight and flimsy fabrication, toward paint and gloss as the cover for what is intrinsically of little worth: in this respect, it is certain that the world has gone backward. Something of insubstantial and fictitious in the product of labor has become a trait of the present age; there is an expenditure of industry to make things look better than they really are, and sell for more than they are really worth, of which it is mere

self-deception to say that the like and to the like extent has been seen in all ages.

Carlyle took a young friend to see two houses in his neighborhood, the one two hundred, the other ten years old. The bricks at the corners of the former were still sharp as when they left the mould, and the mortar was hard and smooth, like polished rock; the new house scarcely had corners, the brick was so worn away, while the mortar was crumbling, and could be picked out with the finger. There are in London square miles of new-built houses that are but gilded traps to catch tenants in. The English law seems expressly designed to favor the process. It requires the tenant to leave the house in as good repair as he found it, — which commonly means, such being the quality of the work, rebuilding it in part, and may mean rebuilding entire. Of the latter an example: A London carpenter hired a house of a bishop, and one day it literally tumbled down over his head. Luckily escaping alive, he wrote to the bishop, and acquainted him with the event, supposing that the latter would, of course, hasten to build the house anew. No answer was returned, and he wrote again, saying: "I am paying house-rent with no house; will your lordship please attend to the matter at once." The bishop now replied, and the response was, "If the house has fallen down, *you* are to rebuild it, not I. Please do so promptly, and see that the work is properly done." The astonished carpenter took legal advice, found that the law indeed required this of him, and had to expend the earnings of his life to the last penny in complying with its demands.* Now, though laws may not elsewhere be so ill devised or vilely construed as to bid directly for fraud in building, yet these effects are not confined to England. On the Continent, to the extent of our observation, there is the same general, almost invariable tendency toward flimsy construction, the same expenditure of labor in making deceptive show. In Stuttgart, for example, a house a hundred years old will still be good for another hundred, when one that is to-day in building will have ceased to be even a ruin. We build thin houses in America, but it would be hard to find in American cities such

* Our informant, whose name is known and honored on both sides the Atlantic, was a brother of the legal gentleman referred to, and had the story from his mouth.

examples of painted botchery in domestic architecture as are to be seen in the capital of Würtemberg.

Under such a system, honesty is not fostered, but starved; fraud is not systematically weeded out, but cultivated; civilization puts at odds the morals that are its life-blood, and puts a premium upon the vices that would destroy it. Deceptive production, in the first place, makes labor a school of demoralization. The workman knows well what is done; he helps the employer cheat; it is a poisoned air, that no one can live in long, and remain healthy. The system comes to this: Be honest at your peril. In an examination some years since, before an English Parliamentary commission, a dealer, reported as highly respectable, was asked if he thought it morally right to put up and vend as pure coffee an article containing but a small percentage of the berry. "Perfectly right!" responded he, without a moment's hesitation, and not without some virtuous displeasure that such a matter should at all be brought into question. "But how," it was inquired, "will it be with the dealer next door, who sells only pure coffee as such?" "Cannot he make a mixed article too?" retorted the respectable: "if he has not sagacity enough for that, let him fail, he deserves it!" And the good man closed with a vigorous reclamation in behalf of free competition. In the moral assimilation of bad conditions one man is quicker than another, and profits by his celerity; but in the long run and on the large scale conscience grows to the climate it lives in, and the dealer next door, if not in due time morally reconciled with his climate, will at least die of it, and leave the place to suppler constitutions.

It is not here intimated that such examples represent the usual conscience of production and trade, but they do represent its climate, with the effect of this upon susceptible constitutions. Now, it is but too plain that *something* is operating in modern society to displace the scruples of honesty and honor. Gross betrayals of pecuniary trust, — how frequent they are grown! Hardly a week fails to bring intelligence of some glaring example; one is surprised rather to miss than to find them in the columns of the newspaper. Look, too, at the list of defaulters, and see what names are there! — names of men never made to be rogues, and indeed that never meant to be

such, but fell into the ways of the world, took liberties, and could not take them back. Look at the list of corporations which gravely vote to "pass" the interest on their bonds! We have trusted private interest too far, have permitted too much, have left men to be schooled by their practical conditions into laxities that, become general, unstring civilization; and society, that feels itself a sufferer, obscurely feels also its complicity in the cause of its suffering, and scruples to lay blame upon the individual.

How much the permitted license of competition has to do with the effects just noted, we are unable to say. The system itself, meanwhile, is not only advantageous, but inevitable; to rage against it is vain, to attempt its displacement Quixotic. But that, as now conditioned, it generates a bad air and makes typhus, is out of question. Meanwhile, we make no excuse for dwelling rather upon the moral aspects of the case than upon oppression in the shape of pecuniary injury, for that is simply to go to the root of the matter, even though it is here presented for political consideration. Civilization has its system of morals which are not only necessary to it, but are itself, its vital essence. Civilization, — what is it at bottom but an imperative preference of peace to violence, of honesty to fraud, of industry to idleness, of just to lawless possession, in short, of a cultured and productive human life to one beastly and barren? It is human virtue that makes such a preference; and only when such virtue rules, is lawgiver, master, magistrate, can civilization prosper, or in the end exist. Government is properly the means to organize and effectuate that rule, and failing notably, habitually there, it is a Belshazzar that perhaps does *not* see the writing on the wall, but against which no less the sentence is gone out, "Tried in the balance and found wanting"; nor will anything in its form, however good as matter of form, atone for that defect of function. Government cannot indeed make virtue, nor need do so, for human nature brings forth the needed supply, not superabundant, but enough to live on, if the harvest be properly husbanded; but government can and must be an economist of morals.

5. To pass to another topic. The system of free labor, that

is, of free individual engagement, is in many aspects a precious acquisition. It makes the laborer his own man, heightens in him the individual consciousness, and leaves open to him the way to all that outward success which is commonly desired among men. Moreover, there is in the system a principle of self-regulation, of which it has already been said, the more of it the better, provided the regulation be really effected. Under the best conduct, the modern method would doubtless be attended by occasional hardships, but by none surely equal to the general hardship implied in an iron system designed to render any particular case of suffering impossible. Nevertheless, if to satisfy those immediately concerned be success, free labor, as known at present, borders upon failure. Labor itself has risen in arms against it, and an organization is spread through all the countries of Christendom, whose purpose is to make the war general and systematic. The recent remarkable progress of socialist democracy in Germany, evinced by the election of ten or eleven members to the *Reichstag*, — while giving by these numbers but a faint hint of its force at the polls, — is only one symptom of a social disorder already, in greater or less degree, coextensive with Occidental civilization. Indeed, in the immense social agitation initiated in our day, and destined, it seems clear, to characterize the coming century, no element betrays or promises a profounder disturbance than just this of free labor. A little while ago it gave the age a word to conjure with; and now, while the echoes of its praise are yet in the ears, there breaks forth from its own side a fierce jarring note of complaint, incrimination, menace. "Down with the middle classes!" roars the International in Europe. "He that works for wages is a slave!" cries labor-reform in America. "I cannot help rejoicing," said to us an ex-mechanic in Massachusetts, — whose face, by the way, indicated intelligence, while his language and manners were those of culture and good breeding, — "I cannot help rejoicing at every bankruptcy, and think thefts, robberies, burglaries, useful; they help to distribute property!" Surely labor is sore ill, and these are its groans. For these wild utterances are not merely expressions of feeling peculiar to here and there an unbalanced nature; they represent the

fixed, insuperable persuasion of not a few, and beyond this a good deal of that half-grown persuasion, which is above all the element wherein revolutions foment.

Aside from strikes, the grudge of labor is a constant deduction from its effect. Wendell Phillips, quick to detect symptoms of social disorder, but also far *too* quick to pronounce upon them, denounces the "wage-system" as teaching the laborer to "skulk and cheat," rather than to do his best. An impatient mind would take a short cut to truth, and quits the road only to butt the wall. But it has indeed become too commonly true that laborers skulk and cheat, especially the discontented ones, who profess labor reform. "A fair day's work for a fair day's wage," is scarcely now the customary chant of toil, as in the old time when England was merry. On the contrary, some at least avow it as their maxim, "The least possible work for the highest possible pay." In the workingmen's unions of Berlin, it was recommended that a bricklayer who had been accustomed to lay eight hundred bricks a day should for the future lay only two hundred, that four times as many hands might be needed, and the demand get ahead of the supply.

Meantime, labor *is* oppressed, no doubt of it, and in two ways. The theory of the laborer's situation is this: in return for a moderate, but assured, support, he consents to forego the chances of fortune, leaving to the capitalist, along with these, those risks of loss which he himself cannot afford to incur. The theory is too often falsified in fact. The lawless cupidity of speculation makes inflation, to be followed by collapse, and periodically turns workmen out of employ by the ten thousand. The risks, therefore, not merely of capital in its ordinary productive use, but of speculative gaming, are forced upon the laboring class, while the winnings of the gamester are never theirs. Again, the purchasing power of wages is statedly reduced: first, by cheap money, which tells the laborer he gets three dollars a day, when in truth he has but two and a half; secondly, by speculative inflation of prices; thirdly, by so multiplying the risks upon trade and production that each man engaged in them must perforce try to cover his hazard with a large margin of profit; fourthly, by labor itself

that "skulks and cheats," and so clips the dollar in its own hand.

In fine, here is a disturbed social condition, whose costs in money or money's worth are immense, while yet inconsiderable beside the injury done in other ways, as by the making of bad blood, of infatuations, and of a violent spirit, prepared to say, all is fair in war. Of course, it can be said that evils cure themselves, and that this one will do so. Yes, evils *do* cure themselves; their supply is exhausted, and they die of their own havoc. Evils famish themselves by killing what had nourished them. The *human* style of cure is another, we should say. But our business here is simply to note the condition, — a very oppressive one, clearly not made by government, nor as yet manageable by it. Nor, perhaps, will it ever become manageable otherwise than by sustaining a better general regimen.

6. The last of those great economical changes, implying profound social change, which are here touched upon, stands in closest connection to the last mentioned. It consists in the extensive substitution of machinery driven by steam or the like for simple hand-labor. Is it necessary to spend words in exhibiting the accession of productive power which has come therewith? Everybody knows it; fable is outdone by fact. Limitless energies of nature are become our journeymen, lightning our mail-carrier. This new power, however, is not ploughing seas and prairies alone, but human society as well; far and wide already it has upturned the old sward, to leave the brown soil bare, unless a new genius of social tilth shall follow. Without this, one plainly sees, the earth will teem, but man himself become barren. There are broad areas even now that lie too nearly bare; in many a Manchester, those human fields, which one covers with the term "operative," look desolate, the health and hope and cheer of labor, that clothed them once, too obviously turned under.

The class of operatives, made pendent to a business which they do not own, able to attain in it the distinction of a master only by fighting their way out of their own class into another (not humanly possible in one case out of a thousand), fixed in a condition of class-separation, and with almost no play of

sympathetic human relation between them and those with whom they are economically connected, — these persons, scarcely known as persons, but purchased merely as "labor," are thrown together in manufacturing towns by the hundred, thousand, ten thousand; they see, for the most part, only one another, speak, listen only to one another, and generate together a style of sentiment and opinion that springs only from their peculiar position. But as there are many of them, in an intercourse numerically large, though in character so limited, this sentiment is confirmed between mouth and ear; thus they acquire for what is, in truth, the product of a singularly narrow experience, narrower than individual experience is commonly, a sense of universal validity, as if it were what everybody sees and says. It is observed that "striking" fraternities are usually unwilling to hear a syllable from the other party. The reason is, their ears are full already; among themselves they have beforehand obtained that social confirmation of individual opinion which commonly suffices to give assurance. A certain amount of general saying is certitude for most men; with that, the particular seems sustained by the universal; and this point reached, all else which might be said is set down in advance as naught or worse. Thus, while the situation is really a hard one, and while its hardship is but too likely to be mistaken for one wilfully imposed by the employer, the discontent that may be generated talks only with itself, and, nevertheless, obtains all that confirmation which comes from a wide social interlocution and a consent of opinion equal in extent. The remarkable and ever-growing development of socialistic doctrine among the operative classes in Europe is due to this singular condition, and is now recognized by all thoughtful Europeans as a very grave matter. In America such doctrine is still an exotic, — as the Canada thistle was once. The thistle is sufficiently at home here now.

But while the isolation of the operative leads to sentiment intensely partial on the one side, there is partiality also on the other. In Europe we have met with a Manchester capitalist, a man of reading, courteous in manners, genial in conversation, and, to judge from his personal impression apart from his opinions, of kindly nature. He made it a point of principle

to *give* nothing, directly or indirectly, to subsidize no charity, to relieve no distress. "If," said he, "a man is poor, he is so by his own fault or that of his progenitors; his poverty is the just reward of his indolence, intemperance, ignorance, incapacity, one or all, or of the like in his parents. What have I to do with the matter? It is simply immoral to meddle. Nature feeds industry, starves idleness, feeds intelligence and knowledge, starves ignorance and stupidity; that is her system of morals, and no man has any right to interfere with it. Talk of misfortune; your meddling benevolence is the misfortune, with its trying to keep *in* what Nature tries to starve out. Let alone, let every man have what he can lawfully get, along with what he lawfully inherits; then each will have just what he deserves, that is, all that does or can honestly belong to him. I come of a family characterized by prudence, diligence, sobriety, and good judgment in the conduct of business; I inherit the fruit of that, as it is right I should do, and have added to it. Another comes of a family that has been habitually lazy or improvident or intemperate, and whose wits have suffered from its habits; he inherits the fruit of that, as it is right he should do. If he can fight his way out of that bad inheritance, good; he will deserve to be quit of it when by his own exertion he actually is so. It is his affair, he is his own man. People talk about the 'virtues' of charity, generosity, etc.; they are vices, not virtues. *Cost*, *pay*, *profit*, are the wholesome words; stick to those, as Nature does. If I give a man a shilling, or lend him one as matter of favor, I make a thief of him, and become myself a party to the theft. The shilling is not his, it is mine, and yet he has it; he has simply picked my pocket with my own complicity." The words here are our own, but the doctrine is fairly represented. There is sense in it, too; and yet between socialism on the one hand, and *Manchesterism* (if this be it) on the other, who will judge to the discredit of the former alone? Machinery, in making a class of capitalists and a class of operatives, has brought out on both sides a class-sentiment, just when the demands of the situation could be met only by a new breadth and integrity of feeling and thinking. On both sides there is the partiality of private interest, with the mutual misunderstanding which must come of it.

Did this case stand alone, were our civilization otherwise well settled, the cleft would close up, a good understanding between the divided parties be reached by mutual approximation; for men are not mere blind embodiments of private interest, but also in part, if often in too small part, rational creatures. At present, however, the cleft clearly widens from year to year, and, complicated with so much else to the like effect, threatens to go on widening. Capital and labor both suffer in consequence, the community at large suffers with them, and it is easy to see, or rather impossible not to see, that, with a continuance and continued exasperation of these conditions, the affliction will become intolerable.

This completes the enumeration proposed. What we have seen is an accession of productive powers, vast in proportion, munificent in promise, rich in effect already attained. But these powers, representing private interest, share its limitations, and do not place themselves in healthy relation with the public weal. Meantime, the public system, whose function it is to sustain the conditions of social health, resembles, in presence of these new forces, a coachman who has learned well how to guide a team of horses, but suddenly finds himself in charge of a locomotive-engine, and knows not which way to turn. In this posture of affairs numberless oppressions arise, sometimes in collision, sometimes in collusion, with one another, and either way taxing the community, breaking up its amity, and corrupting its *morale*. And this it is which is here signalized as especially the modern type of oppression.

Private interest empowered, escaped control, and running at last into sheer corrupting disease, that everywhere infects the modern spirit, — that is, summarily, the situation. What should be done? It is easy to answer the question in general, though to answer it in detail would require the study of some decades, even if that study were resolutely set about, and steadily pursued, with application of the best abilities to it. In general, however, the way is clearly indicated, though it be like a way through the wilderness, plain enough by compass, but to be made with many a stroke of labor. In the sphere of the public system the work is to be done. What is the state here for, in the first instance, but to uphold the necessary order, and

with it the necessary morals, of civilization against the assaults of private passion and the partialities of private interest? To this end, consciously and expressly, the federal system was framed: resume the spirit that gave it birth; qualify it to do the work for which it was brought into being. Nor, to this purpose, will there be any call for an endless drizzle of interferences: a little, done in season, and really *done*, will suffice. No need to be always trying, if one will drive here and there a bolt of iron and rightly clinched. Give us sound iron in the right place, and we shall have no occasion to be always puttering with rope-yarns. But sound iron, — do the people see that in the public system now? They *say* the contrary, and loudly, copiously enough. The attitude, indeed, of us Americans toward our government is singular, and may be counted by a future age among those curiosities of history which would be incredible, were they not history. In the form of it we have an enthusiastic faith: in the fact of it, next to none; profuse praise of the one, prodigal distrust, incrimination, contempt of the other, run side by side, like the clear waters of the Mississippi and the turbid current of the Missouri immediately after their junction. It may be, however, that the contradiction indicates good sense rather than the want of it, and that the nation hits the nail upon the head in both instances. The form of the government was made by the Federalists, but Jefferson boasted that he and his confederates had evicted the practical principles which at first went into it, and substituted others radically different.

However this be, certain it is that, along with rapturous praise of the Republic as a form, there goes measureless reproach of its practical character and action. No parliamentary body within the limits of civilization is less trusted and respected by the nation at large than the American Congress by the American people. From no national legislature is less expected; the best hope of the people is to be spared, not served; to escape without injury, and be no worse off at the close of a session than at its opening, is thought a piece of luck, and it is not often that anything like a consenting voice of the people declares them to have been even in that degree lucky. So in the several States; very commonly, the meeting of legislative

bodies is looked to with apprehension, while a sigh of relief is breathed when they adjourn. In no other civilized land is official character rated lower; in none is the political class more distinctly out of credit. *Politician*, as everybody knows, is a word quite ruined in reputation by long keeping of bad company, or of what passes for such. Our method of making officials is perfection, but the thing made is promptly pronounced bad work by the mechanic himself. A man is respectable until he is elected; no sooner have the people put their stamp upon him than they incline to call him branded; the impression of their own merit recommends him to their own suspicion as base metal. Stephen Douglas reproached the clergy with quitting clean ground to draggle their skirts in "the dirty pool of politics." Well hit! cried the multitude; no one thought democracy vilified in being characterized as foul water; to be a dirty pool was serenely assumed as its normal condition. It is a curious posture. "If America is right, Jefferson was right," says Parton. Does America itself say that it is right? — not as to its form of government, which Jefferson did not help to make, and which would never have been made had his wishes prevailed, but as to the practical character of its politics. It has a singular way of saying so, if that be the thing said!

In 1863, or thereabouts, a great American orator addressed the labor-reformers assembled in Faneuil Hall, and in one of his most effective paragraphs gave his opinion of the coin which our political mint brings forth. His address is not now before us, nor immediately accessible; we do not therefore profess to quote from it, but will venture to state from memory the general purport of the paragraph in question. Somewhat to the following effect the passage lies in our recollection: "Legislation has no conscience: don't waste time in holding a candle to a blind eye. The legislator looks to one thing, his private interest, especially his interest to get himself re-elected: there he has feeling, there you will touch him, and make him feel. The fiction is that he takes his place to think, study, learn, labor, for the public weal; the fact is that he takes it to speculate on his private account, speculate in popular favor, and make out of it what he can. Treat him accordingly; no inquiring

about his convictions as a statesman, he has none; he is your tool, or you are his; inquire, choose whether you will be his tool, or make him yours. Choose: and understand that his selfish devotion to his own interest, which would betray you, is also the handle by which to lay hold of and use him. He will sell you, if you permit him, or sell himself to you, if you compel him. Be his purchaser and not his wares; bribe his interest on the one hand, threaten it on the other; make your terms, and say, Here, give us your vote, we will give you ours. If he begin playing the considerate statesman, talking of what is just and for the weal of the community, he is trying to jockey you. Put an end to that; tell him he is not in the pulpit, but in the market, that you have made your bid, that if he will knock himself down to you, the bargain is made, and that if he do not, you will bear your bid elsewhere. Do this," said the orator, "and in a year the politicians will be about you begging you to take them at your own terms." We repeat that here is no pretence of reproducing the words, or even the tone, but we are as confident as a firm recollection at some years' distance can make one,— recollection from carefully reading, not simply hearing,— that the substance of the advice given is here not unfairly represented. The speech was approved, printed, circulated,— circulates yet, most likely; and in respect to this remarkable passage, has not, to our knowledge, incurred public criticism. Perhaps such counsel made rather for the speaker's credit as a man, wrong-headed indeed about measures, but very knowing in his judgment of motives and men.

Were it, now, the question whether official character in our Republic was there justly described, we should at once answer, No; it is a description of the disease with which our politics are plagued, but which, nevertheless, is their plague, not their type; and meantime we hold that the advocate, in counselling his clients to accept that measureless demoralization of democracy which he imagined, to adjust themselves to it, speculate in it, make a profit from it, did them and his country as vicious a piece of service as any man could render with honest intents. The point, however, is that such things could be said, approved by the auditors, and not condemned by the public. Distrust has gone so far! Mr. Parton goes to Washington,

dines with Congressmen, is convinced they do not generally steal, says so publicly, and is laughed at for his credulity; a journal suggests that good dinners, like charity, cover a multitude of sins.

In fine, modern civilization is rich beyond example, and rich in liberalities, magnanimities, humane interests and intents, no less than in material resource, but it is disordered, and it is worm-eaten; and in America the condition is extreme on both sides. No nation is so preyed upon, and none has so much which can be preyed upon. Private interest has been put in command of agents more able, means more opulent, than imagination had dreamed of; it has come to devise and will in a royal way. One thing is wanting, a ruling order adequate to the new conditions. Let the time but govern well what it has got, and it may cease to boast; its deeds will be its praise. Here, however, the defect is flagrant; the business of governing our conditions is ill done and in a bad way. And because this is the case, disorders increase, oppressions multiply; the nation is plundered in pocket, imperilled in morals; angry discontent is the mood of millions, distrust of all; agitation, insecurity, unhealthy excitement, hope to win and fear to lose, alike hovering in uncertainty, alike heightened by imagination, unsettle conserving customs, break up the traditions of honesty and honor, reduce intellect to skipping, snatching processes, and prey even upon physical health; trade, harassed by the speculating larvæ, learns their methods, if only in self-defence; platform-professors of reform instruct applauding audiences to see in our institutions only the egotism of individuals, in the labors of public life only the plotting of private interest; and philanthropy itself, seduced in imagination by the too prevalent condition, meditates the making of universal felicity at a stroke by some grand "operation" with a lie at the bottom. Social war is already announced; labor is in the field against capital, "granges" against corporations; and what is believed to be justice is sought by the methods of extortion. This is the shadowed side of modern life, the offset to its magnificent and incomparable achievements. Rich and deranged, liberal and lax, productive and a prey, spacious in sentiment and bewildered in moral judgment, principled in a philanthropy

world-large and scarce able to believe in simple honesty, hoping all things, like charity, and, unlike charity, driving a bargain, it may be, with Satan to obtain hope's fruition, civilization resembles a spring day, when sunshine and sleet come together, and the blossoms, prodigal in beauty and promise on every hillside, open their hearts to the one only to receive with it the other.

Numbers cannot see this, because they are habituated to it, as formerly men at the South could not see barbarism in the *régime* of the revolver, the bludgeon, and the bowie-knife. Numbers, again, simply will not see it, since they must be happy, and to be happy must think there is no danger. The latter class, much the less penetrable of the two, bolt the doctrine of progress to their sides, and go about iron-clad against instruction. Progress, say they; enough, nothing is amiss; be a philosopher, and be sure that all is well. They look down with pity upon those who do not see in thickening evils only "evolution," but trouble themselves rather to evolve an understanding and a duty. These, on their side, have somewhat to say, and it runs to the following effect: "There is indeed progress, notable, wonderful progress, and therefore work to be done. Progress must continually learn new arts of precaution and purgation, not to be buried at length under its own accumulated slough. Rome died of progress, as other nations had done before, and as yet others will, perhaps, do again. Were men more able to profit by either the lessons of history or those of external nature, the rushing advance of our civilization, considering the specific character of that advance, would scarce be an occasion for wordy exultation or sanguine unconcern; for when private progress is toward power and the means of exaction, while the public progress is rather toward diffuse liberality without able conduct, then, if ever, is that progress in a way to become its own plague."

D. A. Wasson.

Art. II. — Exact Science in America.

However strong may be the faith of Americans in the future greatness of their country, their opinion of its present intellectual development is modest in the extreme. To the average intelligent citizen, the idea of this country producing such a mathematician as Le Verrier, or such a physicist as Tyndall, is simply incredible. All he has known of the scientific world leads him to believe that such men are necessarily of transatlantic origin. Our citizen has also a theory which explains the deficiency to his entire satisfaction, and, indeed, reconciles him to it, namely, that the activities and energies of this country are all directed toward material development, and that the atmosphere produced by this development is unfavorable to the production of the highest intellectual qualities. He therefore waits for the intellectual development of his country with the same philosophic patience with which he looks forward to the day when her infant manufactures will no longer need protection against European labor and capital.

Now, while, as we shall presently see, our citizen is quite right in the general belief that we are a generation behind the age in nearly every branch of exact science, he is entirely wrong in his view of the form which that state of backwardness assumes, and of the causes which have led to it. As a matter of fact, this country does produce abler mathematicians than Le Verrier, and abler physicists than Tyndall; only he has never heard of them, and would not believe in them if, by any accident, he were to hear. Scientific investigators have to be born; and there is no sufficient evidence that they are born in any smaller numbers in proportion to population here than in Europe. What little real science we have, hidden in out-of-the-way corners, is fully equal to the average of European science. A comparison of census returns would probably show that the proportion of men engaged in intellectual and professional pursuits is nearly as great in this as in the average of other civilized countries. Nor are the facilities for prosecuting science here so much less than in Europe as to excuse our backward-

ness. And yet, that the amount of published investigation, in nearly every branch of exact science, is small in an extraordinary degree, can be seen by a comparison of our contributions to science with those of Europe.

In the present survey we confine ourselves to the exact or physical sciences in contradistinction to biological science, and to pure in contradistinction to applied science. It is quite true that we thus bring to light our weakest points, and that, if we extended our survey into other fields, we could find things more pleasing to our national pride than those we expect to find in the field we have chosen. There is no objection to our knowing where we are weak, because then we may know where our efforts must be applied in order that we may become strong. The division between our strong and our weak points is not, however, by any means that between the exact and the biological sciences, but that which separates the highest purely intellectual efforts from every other field of activity. Were we to look at the philosophic side of natural history, as exemplified by the works of such men as Darwin and Huxley, we might find here nearly as great a dearth of activity as in the exact sciences. On the other hand, were we concerned with the application of even the exact sciences to the arts of life, we should find our country in the front ranks of progress. We omit the consideration of these, because our object is, not to treat of the efforts to which we are impelled by our daily physical wants, but those to which we are impelled by the purely intellectual wants of our nature.

In such a survey as that proposed, we naturally begin with mathematics, not merely as standing at the head of the exact sciences, but as the key with which the portals of every science must be opened before it can properly be called exact. It is probable that few, even among intelligent men, understand that hardly any physical science can attain its highest development until its propositions are expressed in mathematical language, and its deductions are effected by algebraic formulæ. Now, when we seek for published mathematical investigation in this country, we find hardly anything but an utter blank. Of mathematical journals designed for original investigations, such as we find in nearly every country in Europe, we have

none and never have had any. There have been a number of short-lived attempts to establish mathematical periodicals suited to the state of the science here, some of them worthy of all praise; but the necessity of adapting their contents to the capacity of their readers prevented them from containing anything of importance in the way of original investigation. Since the discontinuance of the "Mathematical Monthly," in 1861, we have not had, until the present year, even one of these popular mathematical journals. Quite lately an indication that some cultivators or students of mathematics must still exist has been given by the appearance from Iowa of several numbers of "The Analyst."

With no wish to disparage the praiseworthy effort to start a mathematical journal of any kind, it must be confessed that this publication is of the same kind with its predecessors, being principally devoted to the solution of problems, and to discussions too elementary to have much interest for mathematicians. The only place in which we can search for anything in the shape of original contributions to mathematics is in the transactions of our learned societies; and here we find since the Declaration of Independence a score or two of papers professedly of this character, but it is not likely that more than one or two of them contain anything worthy of quotation or remark. The whole of them together would not amount to so much as the mathematical journals of Europe publish in a month. Of late years, even these solitary contributions appear to have ceased, and the German *Jahrbuch der Mathematik* has not, since its first appearance, in 1868, found a mathematical paper published in America, though it gives a list of ninety-six European serials containing such papers.*

The prospect of mathematics here is about as discouraging as the retrospect. To become a mathematician it is necessary to study the writings of the great mathematicians, and these are entirely inaccessible, except by private purchase, outside of New York, the Eastern States, and the city of Baltimore. The

* So far as we are aware, the last considerable contribution to mathematical science published in this country is Professor Peirce's paper on the Rings of Saturn, printed by the National Academy of Sciences, in 1865, unless we should except a couple of short notes by Mr. Ferrel in the Smithsonian Contributions.

writer has made diligent but vain inquiry to find in a single public library of the second city on the continent any of the writings of the great mathematicians of the present century. The National Library at Washington is almost equally deficient. Its collection of such books as a mathematical student would wish to refer to is poorer than that of many a private individual. The probability that there would be no one to consult them affords a reason for not purchasing them. If the reader will visit the Royal Library at Berlin, he will find among the dictionaries and other works kept for constant reference in the public reading-room a set of Crelle's Mathematical Journal, the volumes of which are among the best thumbed there; and if, as he looks at them, he will reflect that our National Library does not possess the volumes at all, he will need no further illustration of the relative state of mathematical science in the two countries.

When we pass to the physical sciences, the prospect is a little more encouraging. We find the names of Franklin and Henry in the history of electrical science. We have two or three active workers in the line of experimental physics who deserve to be ranked among the intellectual ornaments of our country. But the smallness of the sum total of their published productions may be inferred from the circumstance that there is but a single journal to publish their researches, and that this journal covers the whole range of biological and physical science. Here, as in every other science, we find our deficiency to increase just in proportion as the science becomes exact. Many branches of physics have attained, and nearly all the remaining branches are rapidly attaining, the mathematical stage of development. As they enter this stage we find our American cultivators all dropping off.

In astronomy we can make as good, perhaps a better, showing than in physics. In exact astronomy we have the names of Bowditch and Peirce. We have observatories quite comparable with those of Europe, well supplied with astronomers fully equal in ability to the ablest of Europe. In no country is the astronomical work that is done better done. Yet we do not find our astronomers engaging in investigations of the utmost delicacy; and the first determination of the parallax of a fixed

star by an American astronomer has yet to appear. Like all other scientific investigators, our astronomers are crippled by the want of a medium of prompt and certain publication. Measured by the quantity of matter published, we fall far behind Germany, France, and England.

The general deficiency alluded to will be brought out with statistical exactness by an enumeration of our scientific journals and transactions. We have but a solitary scientific journal of the first class. This was established half a century since by Professors Silliman and Dana, during which time it has honorably represented American science. It served the purposes of all the sciences when it was founded, and it serves them still. The only other medium of publication of original investigations in exact science is to be looked for in the proceedings and transactions of our learned societies. Of these, the former generally contain only short notices of papers, while the latter appear at such long intervals that they afford only a very tardy means of publication. Our two most active societies have been the Philosophical Society of Philadelphia and the American Academy of Arts and Sciences, each of which has brought out about a dozen volumes of transactions since the beginning of the century. Excluding societies whose publications are purely biological, we are not aware that half a dozen other volumes of transactions have appeared within the interval alluded to. Add the eighteen volumes published by the Smithsonian Institution, itself founded by a foreigner, and we shall have a total of between forty-five and fifty volumes in three fourths of a century. This total combined product of the Smithsonian Institution and all the scientific societies of the country is about equal to what either the Royal Society or the French Academy of Sciences publishes in one third the time.

The great mass of scientific papers in Europe do not, however, appear in transactions, but in scientific journals. Here we stand at a much more striking disadvantage. Against a hundred and fifty or two hundred pages annually on astronomy and physics in Silliman's Journal, Germany can show us two journals of pure mathematics,* publishing together three

* Borchardt's (Crelle) *Journal für die reine und angewandte Mathematik* and *Mathematische Annalen*, herausgegeben von Carl Neumann.

or four large volumes of matter every year, two more of mathematics and physics,* one of astronomy,† and one of physics and chemistry.‡ Altogether these journals issue ten or eleven volumes annually, half of them quarto and half octavo.

The comparison with England is more difficult, because, for reasons which we shall hereafter explain, the great mass of English research appears in the journals, proceedings, and transactions of societies. Were we to compare these, bulk for bulk, with our own publications, the comparison might be as much to our disadvantage as in the case of Germany. But this comparison would not be fair, for the reason that a great deal of the matter published by these societies is of a semi-popular character, hardly entitled to be classed among original contributions to science. Making allowance for this, it is probable that, instead of finding in England, as we do in Germany, thirty or forty times as much publication of original research in exact science as in America, we should find only five or ten times as much. A comparison with France would probably be more to our disadvantage than that with England, as the *Comptes Rendus* of the French Academy alone contain ten times more matter pertaining to exact science than Silliman's Journal does.

It may be asked whether this comparison of gross quantities of scientific publication affords a fair and accurate criterion of the scientific status of the several countries, and whether there is really thirty or forty times as much scientific investigation in Germany as here. We reply that, in order to make the comparison entirely fair, there are two circumstances to be allowed for. One is, that much of our work is published in a very condensed form, and therefore does not occupy so much space as corresponding work might where the means of publication are more ample. But results lose so much in value by condensation, that the amount of allowance to be made for this circumstance is not very large. The other circumstance is that a great deal of our work is published in foreign journals. Our

* Grunert's *Archiv* and Schlomilch's *Zeitschrift*.

† The *Astronomische Nachrichten*.

‡ Poggendorf's *Annalen der Physik und Chemie*.

observatories, for instance, have no medium of publication except the *Astronomische Nachrichten*.

Making every possible allowance, and viewing the facts from every standpoint, we shall be able to make only the most beggarly and humiliating showing. What is yet worse, we cannot claim to be improving our relative position, but are rather falling back, scientific activity increasing more rapidly in Europe than here. If we find improvement in one place or one direction, we find decadence in another to counterbalance it. In what was, in times past, one of our great scientific centres we now find, so far as the world can learn, not a solitary mathematician, astronomer, or physicist.

We have here a picture presented to our view which should command the serious attention of all who desire the intellectual progress of this country. Why, with our numerous educational institutions, and our great crowd of professors, should our contributions to the exact sciences be so nearly zero? If the popular idea of the cause of this state of things were correct, we should have neither literature, art, nor liberal education. However low an opinion we may form of our education, literature, and art, we cannot assign them to the contemptible position alongside the education, literature, and art of the world which our science holds in the science of the world. We conceive that the true cause is not to be found in any lack of ability among our scientific men, nor in anything in our intellectual atmosphere which is positively unfavorable to the prosecution of science. The lack of a proper educational system does indeed prevent the training of a proper number of investigators in the higher branches; but this does not account for the comparative inactivity of our admittedly first-class men. The real proximate cause is found in the lack of any sufficient incentive to the activity which characterizes the scientific men of other nations, and of any sufficient inducement to make young men of the highest talents engage in scientific pursuits. The reason that so much more scientific investigating is done in Germany than in this country, is simply that the inducements to do it are there so much more powerful. A glance at two features of the scientific development of the present day will enable us more clearly to appreciate the state of things in the various

countries referred to. The spirit of modern science and its law of development are largely expressed in two antithetical and, to the superficial glance, inconsistent propositions.

The first proposition is, that the methods and objects of our scientific investigation are distinguished by their purely practical character, using the word "practical" in its best sense. Indeed, the most marked characteristic of the science of the present day, and that which distinguishes it both from the science of the ancients and from the speculations of untrained minds on scientific subjects at the present time, is its entire rejection of all speculation on propositions which do not admit of being brought to the test of experience. Let us take an astronomical prediction as an example; on July 29, 1878, at half past three in the afternoon, the dark shadow of the moon will pass over the city of Denver in the Territory of Colorado; and during three minutes the gloom of night will take the place of day. This prediction is complete with respect to the phenomena and to everything connected with it which can influence the material interest of mankind, yet it is entirely independent of the question, What causes the moon to gravitate toward the earth and sun? It is founded on certain laws of the motion of the moon; but in investigating those laws the questions why the moon gravitates toward the earth and sun; whether she moves by virtue of the immediate will of the Deity, or of some quality inherent in the matter of which she is composed; and whether such a quality was impressed upon her matter by the Deity, or is self-existent in the matter itself, — are entirely ignored. It is by ignoring them, and confining the attention to the purely phenomenal aspect of the problem, that the laws in question have been discovered.

The antithetical proposition is, that, as an almost or quite universal rule, scientific discoveries are never made by men having any practical object in view. To take a single instance among the long series of discoveries in electricity which finally made the telegraph possible, not one was made with any other object than the increase of knowledge of natural laws; and no practical telegrapher was ever known to discover a new law of electricity. The same remark applies to all those scientific discoveries which have made modern society what it is. It

seems as if Nature persistently refuses the knowledge of her secrets to those who seek them from any other motive than the love of truth. In this case, as in many others, the highest utility is most effectually reached by not seeking utility at all. Nothing is more certain than that, if we are to make any further advance in our knowledge of nature, it must be through the labors of men who make the study of nature the principal business of their lives, and who are trained accordingly.

At the same time, such men must have some inducement for entering upon this field of labor. The question may here arise, whether the claim that any worldly inducement will really lead to successful scientific investigation is not invalidated by the very principle just laid down. If knowledge must be sought for its own sake, how can we be asked to hold out other rewards for seeking it? If men will not pursue it without such reward, will they really pursue it successfully under the influence of the reward?

It might be a sufficient reply to these questions to say, that the simple acquisition of knowledge by investigators is not sufficient; the knowledge acquired must be published to the world before it can be of any value to others. Now, investigating and publishing are two very different things. The latter requires the work to be put into such a form that it can pass the closest criticism. One may study Nature most industriously for her own sake, and yet refuse to read proof-sheets, without a strong inducement of a much lower order. It is in the quantity of published matter that the deficiencies we have pointed out are seen. If esoteric science were of any public importance, we might find a great deal of it in this country. The difficulty is, not that our scientific men are indifferent to knowledge, but that they do not go through the laborious and thankless process of digesting and elaborating their knowledge and publishing it to the world.

There is yet another aspect of the case. While the motives which may induce one to spend one's life in a particular line of activity seldom admit of accurate analysis and definition, there are two propositions which cover the ground now under discussion. Let us admit that pursuing knowledge with no higher object than the applause of mankind, or the acquisition

of wealth, will never lead to any result. It must also be admitted that to assert that the good opinion of his fellow-men should not be a motive to exertion, is simply saying that one should be entirely indifferent to that opinion, — a proposition which none will directly maintain. And however derogatory to science it may be to pursue it with a view to wealth, no one will directly maintain that scientists as a class should be above supporting their families and paying their debts. The distinction between love of notoriety and honorable ambition, and between the love of wealth and the desire to pay one's way in the world, is too obvious to make it necessary for us to draw it here.

Let us now consider more closely the relative inducements to scientific research here and in Europe, and see whether they are not nearly or quite sufficient to account for the backwardness of research here. In Germany the seats of scientific activity are the universities; in France and England, the learned societies. We have, therefore, to compare our universities and learned societies with those of England and the Continent. When we examine the universities of Germany, and compare them with our own, one of the most obvious points of contrast is that, while here the universities make the professors, there it is the professors who make the university. Students flock to Berlin, not because the university is an old, celebrated, and good one, but to hear Helmholtz and Virchow. If all the men like these should leave the university, the students would follow them, and the university would at once sink to the second or third rank. But in this country students are not attracted to Harvard and Yale by the names of individual professors, but by the reputation and organization of the colleges. They choose one or other of these institutions because they know that a certain system of instruction has been organized, and that certain facilities are afforded by which they can be well instructed. If the professor is a good teacher, they demand nothing further of him.

This is by no means a simple difference of organization between the universities of the two countries, but a difference arising out of a fundamental peculiarity of the German mind, namely, a desire to be taught by a great man. In the Ameri-

can student we can hardly see any evidence of the existence of this trait. But in the German it is most strongly marked, and to it, combined with that love of thoroughness, and that wholesome contempt of "rule of thumb" systems which in this country pass as "practical," is largely due, not only German pre-eminence in every branch of intellectual activity, but very largely the present position of the German nation.

It is quite possible that the difference of which we speak would be found, on analysis, to be not so much a difference in the amount of respect entertained for intellectual greatness as in the standard of greatness. It is quite likely that, on the whole, the genus Professor is held in as high respect here as in Europe. But here the respect is called forth by the title, the position, and the learning, without which it is supposed the position could not have been gained, while in Germany it is dependent on what the professor adds to knowledge. The simple knowledge of what others have done in any special branch of research commands no more respect there than here, but probably a great deal less. Whether in the departments of science, philosophy, or the humanities, the question is, not what does he know, but what has he discovered that is new. What doubts has he cleared up? What fallacies has he exposed? What increase of precision has he given to the subject he has studied? The professor for whom satisfactory answers to these questions cannot be given, who is unknown as an investigator or thinker, and who can impart to his hearers no ideas but such as he has acquired from others, loses caste, gradually perhaps, but as certainly as, in mercantile life, the merchant who does not study the course of the market loses wealth. His students drop off, and, if his fellow-professors are like him, nothing will prevent his university from rapidly sinking to a low grade.

On the other hand, the man who has made really important additions to knowledge, and who has something fresh to make known to his hearers, needs neither the title nor position of professor to secure himself an appreciative and paying audience, and an honorable standing at the university. The humblest *Privat-docent* can compete with the oldest professor, certain that his future success will not depend on the favor of a

board, or on any system of promotion by seniority, but on his real merit as an advancer and expounder of knowledge. Under this system there are no favors to deserving young men as such, and no positions for men who have failed to make a living in other spheres of activity. Instead of these, we have the same fierce struggle for existence which is at the root of human development, and which has full play in most of the affairs of men, — a struggle in which the weak are pushed to the wall without mercy, and prizes are gained in proportion to strength.

In striking contrast to this system is that which we find to prevail here. Among the large number of our so-called universities, in fact at all outside of the Eastern States, nothing more is expected of a professor than acquaintance with a certain defined curriculum, and ability to carry the student through it. He has nothing to do but satisfy the appointing power that he understands what is found in a certain text-book, and that he can teach what he knows to others. Even at our highest institutions of learning, Harvard and Yale for instance, we find nothing like the German standard. However great the knowledge of the subject which may be expected in a professor, he is not for a moment expected to be an original investigator, and the labor of becoming such, so far as his professional position is concerned, is entirely gratuitous. He may thereby add to his reputation in the world, but will scarcely gain a dollar or a hearer at the university.

If the immediate necessity of originality is so much greater on the part of a German professor, so, in a certain way, is the reward of entire success. We do not refer mainly to a pecuniary reward, but if we did, the proposition would be partly true, and the state of things would forcibly illustrate the difference of the two systems which we are trying to bring out. We have said that probably the genus Professor is held in as high estimation here as in Germany. We may add, that the average professional income is much higher here, even when we make allowance for the greater cost of the necessaries of life. But there the greater part of the income is earned by being a great man and a great expounder, and there being no definite limit to what may thus be gained, the highest incomes, and, consequently, the pecuniary rewards held out for becoming a first-

class man, are higher than any which a board of trustees can vote in this country. Of course the third and fourth rate men are much worse off than here; so much worse off, in fact, that they are compelled to betake themselves to some other occupation for a livelihood. The reward to which we principally refer is, however, that of reputation and esteem. The successful German professor, as he grows old, secures a position in the affections of a large body of educated men corresponding to which we have nothing at all to show, at least in the case of one who is merely an investigator and teacher. If one wishes to fully realize this, he need only witness the *Jubiläum* of any eminent German professor or scientist, and see the congratulations showered upon him by individuals and organizations from every part of the country, and then try to remember when he ever heard of any one taking any notice of an American professor becoming an "Emeritus," or even giving the occasion more than a passing thought.

When we pass from Germany to England, we find the state of things entirely different. The love of being taught by a great man, to which we have traced some of the peculiarities of German universities, is as completely unknown in England as here, and, in respect to the features we have been describing, the English university is much more like the American than like the German. If, therefore, the English investigator depended on the universities for support and encouragement, we should expect to find scientific investigation as backward in England as here. But the part which is played by the educational system of Germany is in England played by the great scientific societies. The general organization of these societies is substantially the same as in this country. On the European Continent each considerable nation has its Academy of Sciences, either supported or patronized by the government. In England and America, however, it is considered no part of the functions of the government to support such a body; the scientific societies of these countries must therefore be supported by the contributions of their members and by private endowments. Now, it is a fact which we have to face, and which it would be folly to disguise, that our scientific societies do not compare with those of England in wealth and power. There are a score

or two of English societies which regularly publish transactions. The membership in the leading societies ranges from four hundred to a thousand, or even several thousand, while the annual contribution of each member is from two to four guineas. The annual income from the members alone may therefore range from four thousand to twenty thousand dollars, while the older societies have invested their surplus income from time to time in such amounts as to now receive a considerable annual interest.

Of the corresponding data for American societies we have no exact statistics available. We cannot, however, be seriously in error in saying that the Geographical Society of New York and the American Association for the Advancement of Science are the only bodies in the country, of which exact or physical science forms one of the objects, the paying membership in which amounts to two hundred. We believe also that the maximum annual contribution in any of our societies is five dollars, while in a great many it is much less. In the American Association it is only three dollars. The societies we have mentioned are probably the only ones of which the annual income from the contributions of their members amounts to a thousand dollars. So far as is known, it is only two or three of the older societies that have any other source of income than this. By this lack of wealth, not only are our societies deprived of the means of publishing papers, but they are deficient in one of the great elements of interest and strength. However out of place the love of wealth may be in such a body, it cannot be denied that every one will take much more interest in an organization in which he has a good deal of money invested than in one in which he has none.

The great weakness of most of our scientific organizations does not, however, consist in the want of financial means, but in something much more difficult to determine and define. We can only say that, with a few exceptions, they exhibit a total lack of cohesive power, vitality, and that undefinable something which may be called weight and importance. However eminent may be the men who compose them, most of them are, as organizations, insignificant, and exhibit the same liability to die from slight causes that weak and sickly individuals

do. A history of all the attempts to organize learned societies in this country would afford an instructive study in human nature, and might show that they died by causes as uniform as those which cause the decay and death of individuals. The principal features of the decadence would be, first, a constant enlargement of the range of membership, and consequent lowering of the tone of society; then a gradual and unnoticed falling off of the abler members, until the society is reduced to a state which a physician would describe as great constitutional weakness. This change may require a few months or many years. The society is then attacked by a parasite in the form of a charlatan desirous of using it as a means of securing a temporary notoriety for himself. He secures the management and control of it, and furnishes most of its discussions, till he makes it ridiculous, and then society and charlatan disappear together from public view.

If strength is relative, so that power in charlatanry is the same thing with weakness in integrity, then a curious instance of the weakness of real science is afforded by an attempt to organize a national scientific society a few years since. Many of our readers may remember "The American Union Academy of Literature, Science, and Art," organized in Washington in 1869. It had no known sponsor, unless the messenger who carried round a paper to get the signatures of prominent men should be considered such. But it soon began to fill a prominent place in the local papers. It had an opening meeting, and an inaugural address from a president. A few months later it had another inaugural address from another president. It got scientific questions referred to it by the Commissioner of Internal Revenue, and made reports on them. It applied to Congress for a charter recognizing it as a scientific adviser of the government; and an act of incorporation so recognizing it passed the House of Representatives without opposition, and was favorably reported from the proper committee of the Senate.

During all this time not a solitary man eminent in literature or science was known to be responsible for the society. The list of corporators named in the charter included judges, lawyers, bankers, officers of the army and navy, and a few civil

officers of the government of every grade, but only a single eminent scientist, and he resided in a distant State, and probably knew nothing of the real character and objects of the organization. In fact, it is not likely that the large majority of the corporators themselves knew anything more than that they had been asked to join a very modest association for the mutual improvement of its members by scientific discussions. Why such an association should want national recognition from Congress, no one ever explained.

As we have said, the charter was reported to the Senate from the Committee on the District of Columbia, with recommendation that it pass. But there happened to be a single senator who saw the absurdity of choosing such a set of corporators to report on scientific "questions of importance to the public interest, which may be officially submitted to the Academy or its branches by the officers of the general or State governments." This was Mr. Sumner. After a vigorous debate, in which, however, the provision we have just quoted was strangely overlooked, the bill was laid upon the table, and the society gradually sank into oblivion.

The most important function of the English societies is to take the place of the university system of Germany in encouraging scientific research. This they do by prompt publication of papers, by favorable notices of small works, and by the public award of prizes to great works. The details of the way in which this encouragement is given are, however, not important. The important fact which we wish to impress on the mind of the reader is, that when an Englishman makes any scientific investigation or discovery of merit and importance, he is considered a valuable member of society, and society takes pains publicly to indicate its appreciation of his value. When we say that in this country one may devote his life to science, and may gratuitously give to scientific investigation an amount of labor and talent which would secure him both wealth and distinction in any other profession, without receiving therefor a solitary public mark or expression of appreciation from any source whatever, or the slightest additional consideration from the public, hardly anything more is necessary to show that there is here comparatively little incentive

to such work. One fact connected with our governmental administration will illustrate the small amount of weight which the public assign to science. There are several government establishments of a scientific character, the best administration of which would require high scientific attainments, to the head of which scientific men would naturally be appointed if the public deemed them of sufficient importance. Yet not one of these establishments has now a head appointed on the score of eminence as an investigator in the sciences with which the operations of the establishment are allied, and there is probably not more than one of which the head could make pretensions to an acquaintance with any science whatever. This does not arise from those defects of the civil service of which the public now complain. If science carried with it here the same social and personal influence as abroad, the scientific clique would under our present system divide the scientific offices among its members just as the politicians do the political offices. They fail to do so, not because they are not politicians, but because they are weak.

The great drawback to American science which we have been considering is, not lack of facilities, but lack of incentive. In fields of research requiring good libraries, or expensive appliances in the way of instruments and apparatus, our facilities are, it is true, confined to the East. In other respects they are as good as in Europe, and in some points better. For one thing, it may be doubted whether any other government is as ready as our own to appropriate money for scientific objects. However contracted many of the views of the "average Congressman" may be, he has intelligence enough to know that the knowledge of nature forms an important element of our civilization, and is quite willing to afford the means of increasing that knowledge, on being satisfied that the money will be judiciously expended. It is not always easy to insure the fulfilment of the last condition under our present system, owing partly to the want of some permanent scientific body to which the expenditure of moneys for scientific objects might be intrusted, and which could be held responsible for its doings. This drawback has not generally proved a serious one, and we believe that scientific appropriations have been, without excep-

tion, honestly expended, if not always in the most judicious manner.

On the whole, we may say that if any one possessing the qualities of sound judgment, accurate thinking powers, and quick perception of the relations of cause and effect, chooses to devote them to the increase of knowledge, and to forego the worldly advantages they would secure for him in the ordinary fields of human activity, his opportunities will be as good here as elsewhere. But he must fight his way with the same persistence that he would in any other profession, with the probability that he will be a great deal longer in winning even the modest position which society here assigns to the eminent investigator. He can adopt another profession with the assurance of gaining employment, wealth, and position as fast as he can satisfy the public of his ability; while in scientific as in military life, age and seniority are still indispensable to any high recognition. In political life one may become representative in Congress, senator, chairman of a congressional committee, or even Cabinet officer, at an age when his youth would be considered a serious if not a fatal objection to the highest recognition of his scientific claims. Some well-known examples from the French Academy of Sciences, during the period when it was in the prime of its activity, and the leading scientific body of the world, will afford an instructive contrast to our system. To this day the Academy is reproached by its historians for its unpardonable neglect of the claims of young La Place, whom, notwithstanding the talent and activity displayed in his memoirs, it persisted in considering a neophyte long after he had proved himself a master; and La Place himself is complimented for not being discouraged by this neglect. Yet he was elected a member of the Academy when he was between twenty-eight and thirty years of age, — an age at which it would be an act of hardihood even to propose a candidate for membership to our National Academy of Sciences, no matter how high his claims.

In 1809, Poisson and Arago were candidates for the vacancy in the section of Astronomy caused by the death of La Lande. The former, though he had never made a distinctively astronomical investigation, was earnestly supported by La Place on the

score of age and position; but Arago was elected by a large majority, in consideration of his work in the measurement of an arc of the meridian. Yet the man of age and position was only twenty-eight, and his successful competitor was only twenty-three. The former was not elected till he was thirty-one, when the Academy, no longer willing to sustain the reproach of overlooking so eminent a man, elected him to a vacancy in the section of Physics, although it was only as a mathematician that he had acquired eminence.

We do not propose to enter into any discussion of the relative merits of simple age and social position on the one hand, and talent and industry on the other. But it is undoubtedly true that the latter must be recognized in preference to the former, just in proportion to our earnestness in promoting works which can be performed only by talent and industry. For instance, in our military and naval service, in time of peace, promotion and command go strictly by seniority, — a system which has the advantage of avoiding every suspicion of favoritism, and saving the appointing power the responsibility of deciding between the merits of a large number of candidates. But in the selection of leaders in time of war, the system breaks down, and ability necessarily takes the place of seniority in determining the choice.

So in scientific affairs: by making scientific recognition the reward of age and personal influence rather than of talent and industry, we avoid a great deal of heartburning, bitterness, and strife. So far as the avoidance of these is an important end in society, so far is our system a good one. But it is none the less true that our country will never contribute its share to human knowledge under this system. Science forms no exception to that law of nature which proportions awards to merit and exertions, and gives the strong the advantage over the weak; and no amount of sentiment will do away with the fact that it is to the operation of this law that the progress of the world is due.

What we have just said refers to the scientific recognition of the young man of science among his fellow-workers. But respect and reputation are awarded by the intelligent public as tardily as by scientific men. We refer, of course, to respect

for scientific work, not to that for the popularization of science. If our young man is a good popular writer and lecturer, he can hew his own way to fame with nearly as much rapidity in this as in any other country. But popular lecturing is something entirely different from scientific research, — so different that few succeed in both fields of activity ; and it is the worker in the latter field whom the public are prone to treat with indifference. If it is urged that reputation with the public is too low a motive to be set before a young man, we reply, that the very reason it is low is the comparative lowness of the means by which the end may be secured. Apart from this, it cannot be denied that a wide and solid reputation among educated and influential men is a valuable thing to any one ; and the more rapidly a young man can obtain it in any pursuit, the more encouragement he has to enter upon that pursuit. If such a reputation in the scientific line can be more readily obtained by showy works than by those which are really solid and valuable, the remedy is, not to treat it with contempt, but to educate that small portion of the public whose good opinion is of any moment into an appreciation of the real state of things.

Now, our instrumentalities for communicating to the educated public a knowledge of the doings of the scientific world have, until very lately, been nearly as defective as our means of scientific publication, and, notwithstanding certain recent improvements, are still far behind those of other nations. In England, France, and Germany weekly, monthly, and quarterly journals of popular science are too numerous to be recounted ; while, previous to the establishment of the " Popular Science Monthly " by the Appletons, we had not in this country a single journal designed to diffuse the knowledge either of general or exact science. The " American Naturalist," as its name implies, is devoted entirely to biology. One of our principal scientific wants has been a publication which should serve as a medium of communication between scientific men and the educated public as well as between the various classes of scientific workers. To fulfil the latter object it need not be too technical for the former object, for a specialist in one branch may know as little about the work of a specialist in another branch as the general public does. A geological theory, for

instance, must be explained to an astronomer just as it would be explained to any other intelligent reader, and *vice versa*.

In the absence of any such publication, nearly all the scientific information attainable by the public has been derived directly or indirectly from English sources, generally from the proceedings of the English scientific societies. The latter, being organized for the promotion and encouragement of the science of their own country, naturally give prominence to the labors of their own members; and we may say that English scientific writers generally adopt the same system. The consequence is, that in acquiring an American reputation the American stands at the same disadvantage alongside the Englishman that he does in acquiring an English reputation. Another cause conspires to make his disadvantage really greater, namely, the general incredulity respecting the possibility of native talent which seems to be inherent in the American mind. The result of both causes combined is, that an American must obtain a European reputation before his own countrymen begin to believe in him.

Of course there are exceptions to this rule. One occupying so high an official position that he must be treated with respect, and taking care to keep himself prominently before the public, may secure even more public consideration than he is entitled to. But neither the holding of office nor public prominence constitutes scientific position, so that it is doubtful whether even this should be considered an exception. The main fact with which we have to deal is, that original scientific research does not by itself command the public consideration which the same talent would if directed in other ways, nor which it would if exercised in the same way by a European. The proposition that an original investigator can receive consideration in his own country only after acquiring a European reputation, is not invalidated by showing that if he be something else than an investigator the proposition will not apply.

Within the past three or four years there has been a large increase in the amount of popular scientific publication in this country, which is seen in the establishment of a scientific magazine, and in the appearance of "scientific columns" and "scientific departments" in many of our newspapers and

magazines. But the great object of educating the intelligent public in scientific matters is very imperfectly fulfilled by these publications. A considerable portion of the matter they present to us consists of fugitive items, hardly more interesting or important than the column of daily clippings of one short sentence each which has become a feature of our newspapers. The most notable exceptions have been the science department of the "Atlantic Monthly," while it lasted; the Editors' Table of the "Popular Science Monthly"; and, of late, the Science Record of "Harper's Magazine." Here we have found original discussions of scientific questions, and reviews of the progress of science by competent writers. For the rest of the "Popular Science Monthly" so much cannot be said. When first started it was mostly made up of extracts from English publications and of essays which could hardly have found a place in any other publication. Of late it has gradually improved by including more original matter, and that of a better class. But it has never attempted to supply the great want to which we have referred, namely, that of making known the progress of science in this country; and the reader who wishes to learn what our scientific men are doing here will find far more copious accounts of it in "Nature," an English periodical, than he will in the American magazine referred to.

The various deficiencies in the incentives to scientific research which we have described may be summed up in the single proposition, that the American public has no adequate appreciation of the superiority of original research to simple knowledge. It is too prone to look upon great intellectual efforts as mere *tours de force*, worthy of more admiration than the feats of the gymnast, but not half so amusing, and no more in need of public support. The remedy is to educate the intelligent public into an appreciation of the importance of scientific investigation, and of the necessity of bestowing upon those who are successfully engaged in it something in the way of consideration which may partially compensate them for devoting their energies to tasks which, from their very nature, can bring them no pecuniary compensation. This reward must be proportioned to merit, and the absence of commanding personal qualities must not be an obstacle to obtaining it. A great man can just

as well be produced here as in Europe, if the public will only become disposed to encourage intellectual greatness here as there. If we had an equally rigorous system of intellectual natural selection and equal public encouragement for talent of the highest class, America would rapidly take a leading position among the scientific nations of the world.

SIMON NEWCOMB.

ART. III. — *The Sources of Standard English.* By T. L. KINGTON OLIPHANT, M. A., of Balliol College, Oxford. London. 1873.

THAT, except on paper, the project of a philosophical language will ever be realized, no one, in our day, can believe seriously. And yet it may be, that, before the lapse of another millennium, from the influence of conspiring causes, already in vigorous action, the world may behold what would serve mankind much better than any philosophical language, namely, an approach to a universal language. We can, indeed, hardly suppose the entire obliteration of local varieties of oral speech; but the time may, quite possibly, be not very remote, when the languages now used by the leading civilized peoples shall so far possess, in their written form, a common element, as to become materially assimilated. Nor, should such a consummation ever be reached, can we hesitate to forecast as to its principal agents, provided it be not in the lot of Englishmen and Americans to decline, in a marked degree, from that character of energy which has so long distinguished them, and which, it would appear, the ages have not yet even fully ripened. Only a hundred years ago, and where did English prevail, save in its birthplace and among the American colonies? Its dominions at this moment we need not stop to enumerate. And it is by no means to the mere numerical preponderance of English-speaking populations that its spread is, in all cases, attributable. Conquest, commerce, and convenience have largely contributed to extend its diffusion. In India, with

its two hundred millions of British subjects, it is day by day gaining fresh ground. Already it has led to the creation of one new *lingua franca* in China, and of another among the German immigrants of Pennsylvania. The Manx and the ancient speech of Cornwall have succumbed before it altogether; and the Gaelic, Erse, and Welsh will, doubtless, at last follow them in extinction. Moreover, where do we now see anything of the old vitality of the English provincial dialects? And, finally, we are not to forget the interest in our language and literature which has, of late, obtained so widely among the nations of the European Continent. Such facts as these are, assuredly, enough to shield from the imputation of being wholly preposterous the surmise that our language may, eventually, well nigh cover both hemispheres.

Of this event the expectation may, certainly, be visionary. Still, as English is destined, beyond doubt, to occupy a greatly ampler than its present enormous area, so it is destined, beyond doubt, to undergo important mutations. And these mutations may, perchance, be such that, in comparison with them, those which have marked our speech since the era of Henry VIII. will, in the account of future philologists, be of secondary importance. What is likely to be their character, either specially or even generally, we can no more predict than we can sketch a map of the Europe of the year 3000. Posterity is to look after these matters; and posterity will know how best to manage its own affairs. Its lingual heritage, however it may be improved at its hands, will be that which we bequeath; but to this heritage, while our own, we may give an impress, of which the duration will long outlast all memory of ourselves. Our language, as every inquiring student of it is fully aware, bears many a note which we are authorized to refer, with certainty, to individual writers; and what such have done, such may still do. The influence of large bodies or classes of men, that, for instance, of the Norman invaders, and that of the old-church ecclesiastics, has contributed, and signally, to make English what it is. At the same time, no insignificant share of the shape it now wears is due, where not to uncontrolled tendencies, to observant scholarship, which, arresting the spirit of the age, has substantialized it into per-

manent forms of speech. Immeasurably less, in our time, than was once the case, are the changes wrought in our language referable otherwise than to the pressure of learning and reflection, solid or superficial. And the weight of personal example, as availing to affect speech, is a thing which it behoves us all to ponder. To every one the speculation must be familiar, that a sound once generated never perishes; so that

> "Alike the song of Miriam, the wail
> Of Jephthah's daughter, slain by hasty vow,
> The Attic thunders of Demosthenes,
> And Harold's patriot battle-cry, may still
> Be whispering through far-off tracts of space."

Somewhat so, it is not absolutely incredible, that every word which is printed, and even every word which is spoken to a fellow-being, may tell, though inappreciably, yet really, on the vocabulary or on the idiom of many coming generations. Besides this, propriety in expression is the reflex of propriety in thought; and this, in turn, is indissolubly allied to truth. None but a most short-sighted moralist or psychologist will contend, that, so we but make ourselves understood, it matters little how we speak or write.

Conscious effort has done much to modify English; and it now does, and it will go on doing, to the same effect, more than ever before. About three lives ago, after a considerable period of enervation, tokens were beginning to emerge, that our tongue was recovering, to some extent, its long-checked freedom and fecundity. Among our contemporaries, the fashion has acquired a vogue which it calls for some boldness to rebel against, of referring to the diction of Dr. Johnson with unqualified derision. But the truth about Johnson is, that, with all his conservatism in politics and religion, he was, as regarded language, from the very constitution of his mind, an innovator; and an innovator, unless his judgment is strictly proportioned to his zeal, will, of a certainty, trespass into extremes. Except for Johnson, and for other writers who, as thinkers and philologists, have been like-minded with him, it is highly probable that the English of 1874 would have been a poor and meagre thing to what it is. In him our Caroline divines and

their elders had an appreciator, an admirer, and an imitator. Their fondness for Latin vocables was not necessarily pedantry or bad taste. They had ideas to express, which, for the avoidance of confusion or indistinctness,* it was plainly the dictate of experience to clothe in a novel garb; especially as the practice of forming new compounds from Anglo-Saxon elements had long been, for the most part, disused, and had been proved, after repeated trials, to be incapable of further than very limited revival. Unquestionably, they also considered that their teachings, if conveyed in phraseology of a different cast from that of every-day life, would the more surely rouse attention, and would the sooner take hold of the memory. To do so was, at all events, the effect of their unworldly dialect; and, in refusing to believe that this effect was designed and anticipated, we should give them scant credit for sagacity. Johnson had to be told nothing of this. He saw, too, that our language, as usually exhibited in his own age, had become unnerved, thin, featureless, and finical. In his opinion, to be sure, "from the authors which rose in the time of Elizabeth, a speech might be formed, adequate to all the purposes of use and elegance"; and he also, in profession, admired Sprat and Addison. Nevertheless, when it came to personal practice and example, nothing can be more manifest than that the great current of his sympathies was with the refining grandiloquists who flourished in the time of the Charleses. All that is good in these full-mouthed scholastics, and something that is bad, is seen reproduced in his pages. The bad, in its resuscitated form, won little acceptance with those whom he influenced; but the good, as endowed by him with new life, was at once generally rated at its true value, and welcomed, and has seasoned our literature ever since, down to the hour in which we write.

* "It is the existence of an individual idiom in each, that makes the principal writers before the Restoration the great patterns or integers of English style. In them, the precise intended meaning of a word can never be mistaken; whereas, in the later writers, as, especially, in Pope, the use of words is, for the most part, purely arbitary, so that the context will rarely show the true specific sense, but only that something of the sort is designed. A perusal of the authorities cited by Johnson, in his Dictionary, under any leading word, will give you a lively sense of this declension in etymological truth of expression in the writers after the Restoration, or, perhaps, strictly, after the middle of the reign of Charles II." — COLERIDGE.

Within the last few years, however, a reaction has been attempted against the stamp of English which suited Wordsworth, Southey, and Landor, and which still suits Dr. Newman, Bishop Thirlwall, and Mr. Matthew Arnold. Approving hints of it have here and there been thrown out anonymously in sundry periodicals; and occasionally a half-hearted patron of it has ventured, under his own name, a *forewords*, instead of *preface*, or some kindred affectation, by way of at once airing his own superiority and feeling the public pulse. But the new hobby has, in the fulness of time, found an unflinching advocate, and more. In Mr. Oliphant we recognize a gentleman of that laudable intrepidity which befits a full conviction. The tactics of timid and tentative apostles are his scorn. Through a whole volume he both inculcates and exemplifies, more than incidentally, a species of English to which the world will no more go back than it will go back to water-clocks and tinder-boxes. It is this peculiarity of his book that we are here chiefly concerned with. Over and above his industriously dandling his favourite whim, we may add that he has collected many particulars touching our language, which are interesting as illustrative of its history. His book, if recast and reduced, so as to spare us his disquisitions, and to give us, in alphabetical order, the expressions which he treats of, with a comment appended to each, would result in a manual of very fair value. With a praiseworthy ambition of exhaustiveness, he often takes us back to ancient India; but the words which he gives from the Sanskrit should have been looked over by some adept in that language. The authorities on whom he relies for his Oriental lore are, by the by, only four in number; and two out of the four are quite unknown as other than Sanskritists at second hand.

When a man comes forward as a champion of anything generally reckoned impracticable or chimerical, it is indispensable to the success of his knight-errantry, not only that he should sap and mine his way by inoffensive plausibilities, but that, outside his special fancy, he should recommend himself by moderation and cautiousness. Far from caring to induce assent by mild measures, Mr. Oliphant seems determined to compel it, if he can, by sheer storm. Once having elected him as

our instructor, will of our own we are to have none whatever. To suspect as possible his being in the wrong, is a frailty which, we infer, he is seldom subject to. And, as is his self-confidence, so is his dogmatism, in falling nothing short of heroic; and, as we have said, the forms which it takes are not such as to allure. In his very Preface, he lays down, that any one who, except with the aid of certain authors whom he names, shall henceforth undertake to write on English, "must be the greatest of fools." Again, a correspondent of the *Times* newspaper, whose taste allows of his "partaking an intellectual pleasure," is pronounced upon as being "most likely no fool in private life." * And elsewhere,† our philologist joins the ignoble army of witlings, to break the peace of the son of Beor, where he would give us to understand, that, to his thinking, an apocryphal preacher whom he speaks of was fatuous below the average. It is high time that Balaam and his beast were left to their well-earned quiet.

Regarding the birth and death of expressions, Mr. Oliphant is as positive as if he had helped them into existence and assisted at their obsequies; and he decides on their currency, chronological or otherwise, much as if his acquaintance with our language were such as all the students of it, taken together, can make no pretension to.

Speaking of the *sensation-novel*, he tells us: "Mr. Edgeworth, writing in 1808, lets us see that the word *sensation*, in his day, was wholly confined to France." ‡ Not from ignorance, certainly, yet very carelessly, an assertion is here made of a word, whereas the author intends only a particular sense of a word; *sensation* being, in philosophy, a term of long establishment. But, to turn to Mr. Edgeworth, how, without omniscient prompting, could he show what he is alleged to have shown? *Sensation*, as importing "stir," "excitement," is what is meant; and we could prove that Bentham and Mary Wollstonecraft used it, in this acceptation, in the last century, and that Coleridge so used it in the first year of this century, and Charles Lamb only a little later.

On the credit of the author, "Dr. Johnson turns a preposi-

* Page 324. † Page 336. ‡ Page 332.

tion into a verb: 'I *downed* him with this.'" * Dr. Johnson, in his Dictionary, quotes his favourite Sir Philip Sidney for the verb active *down*. As a verb neuter, *down* is, comparatively, English. Bishop Bale has it; and it occurs in many a writer since.

"The worst compound I ever met with was *mob-ocracy*. I half fear to point it out, lest the penny-a-liners should seize upon it as a precious jewel." † The word *mobocracy*, like the equally useful *squirearchy*, is not a first-class beauty, we grant: but who, even among penny-a-liners, is ignorant of it? As respects its age, though, on the evidence of the Dictionaries, it is a coinage of only the other day, it was used in 1762, by Colman, ‡ and, before the end of the last century, by Madame D'Arblay and Southey.

"It is well known that phrases called Americanisms are, often, relics of a remote age. Thus, where an Englishman *resolves* to do a thing, an American *concludes* to do it. Yet, in an account of the battle of St. Albans (written in 1455), we read that the King and Lords 'kept resydens, *concludyng* to holde the parlement.'" § It is never prudent to ignore the old maxim, *Dolus versatur in generalibus*. There are many Americans who purposely avoid the use here remarked on; and there are many lieges of Queen Victoria, who, uninfluenced by transatlantic quaintness, still adhere to it. This use has, no question, ceased to be English, that is to say, accepted English; yet such it was, not only in the fifteenth century, but, uninterruptedly, down to the Restoration, if not to a later period. ‖ Perhaps it was never laid aside entirely. At any rate, it was ventured in 1760; ¶ and it has since had the

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* Page 151, and repeated at p. 314.

† Page 247.

‡ Prose on Several Occasions, Vol. II. p. 31.

§ Page 332.

‖ This we could show by passages from Capgrave, Sir Thomas Elyot, Bishop Bale, Sir John Hawkins, Sir Henry Savile, Sir Philip Sidney, George Whetstones, Henry Porter, Richard Dolman, William Rowley, John Taylor, Mabbe, Lithgow, Brathwait, Fuller, Fleckno, Heylin, Sir Richard Baker, Henry Earl of Monmouth, Glanvill, Barrow, Henry More, etc., etc. De Foe, who abounds in peculiarities, used it in 1723.

¶ By Henry Brooke. See The Fool of Quality (ed. 1792), Vol. II. p. 88.

sanction of R. B. Sheridan,* Miss Burney,† and Mr. De Quincey.‡

"The form *graciouser*, in the *Ayenbite* [A. D. 1340], is one of the last attempts to force the English sign of comparison on a French adjective ending in *ous*." § Not to mention Langland's later *avarouser*, we find *curiouser*,‖ and *grievouser*,¶ in the closing years of the Elizabethan era.**

Bishop Pecock, writing about 1456, being referred to, we read: "We see both *esilier* and *esier*, the old and the new form of the comparative in the adverb. England, henceforward, became so slovenly as to express the comparative of both the adjective and the adverb by one and the same word."†† That *easier*, for "more easily," ever was of frequent occurrence, should have been evidenced, not merely asserted; and it would be quite a mistake to suppose that *easilier* disappeared in the fifteenth century.‡‡

Bishop Bedell, we are peremptorily told, "was one of the last that wrote the good old *sith*, for *quoniam*, about the year

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* In Memoirs, etc., by Moore (ed. 1825), Vol. I. p. 196.

† *Cecilia*, Book IX., chapter 3.

‡ Works (ed. 1862), Vol. IX. p. 85.

§ Page 262.

‖ Richard Haydocke, Translation of Lomazzo (1598), To the Reader.

¶ William Watson, A Decacordon of Ten Quodlibeticall Questions (1602), p. 238.

** Of adjectives in *-ous* the one-word superlatives were much commoner than the one-word comparatives, in the sixteenth and seventeenth centuries. Gosson has *dangerousest;* Hooker, *famousest* and *virtuousest;* Bacon, Dr. William Barlow, and Francis Bowman, *famousest;* *Cassandra* (1652), *gloriousest;* Henry Earl of Monmouth (1656), *famousest;* Milton, *dangerousest, famousest, viciousest, virtuousest.* Even Dr. Bentley has *numerousest.*

†† Page 279.

‡‡ It occurs in Lord Berners, Ascham, Sir Henry Savile, Anthony Wotton, Fuller, Henry Earl of Monmouth, The Naturall and Experimentall History of Winds, etc. (1653), Hobbes, Henry More, *Il Cardinalismo di Santa Chiesa* (1670).

Within a hundred years after 1579, we meet with the adverbial comparatives *baselier, cleanlier, cunninglier, gladlier, hardlier, heavilier, kindlier, latelier, lightlier, nearlier, plainlier, richlier, slowlier, stifflier, straightlier, stronglier, surelier, sweetlier, swiftlier, wiselier;* and with the superlatives *chiefliest, dearliest, deepliest, easiliest, fitliest, hardliest, highliest, lateliest, nearliest, plainliest, richliest, slowliest.*

Among words of this sort, perhaps the most disagreeable that can be mentioned is *curiousliest*, which is seen in *Cassandra* (1652), Vol. I. p. 55. It is only the more euphonious that Coleridge and Landor, and their imitators, have tried to revivify. The adverb *cleanlier* seems to be creeping into popular use.

1630." * Since reading this, we have noticed, in turning over a few oldish books, that Dr. Featley used *sith*, again and again, after 1630; Thomas Fuller, in 1640; and Henry More, very frequently, down to 1669.

We are bid to believe, that, in a work written about 1160, "is the first appearance, in our island, of the common word *wicked*"; † and that then "*altogœder* is seen for the first time." ‡ In a collection of King Alfred's wise sayings, is found, we are told, "the first instance of our word *gentleman*. We find, for the first time, the Frisian *haste*, and also *dote* (dolt), akin to a Dutch term." § In Orrmin, "we see our common form *theirs* for the first time"; and "Orrmin is the first English writer to put *what* before a substantive, without regard to gender, as '*what* man?' '*what* woman?'" ‖ Layamon "was the last Englishman who held fast to the old national diphthong *æ*," etc. ¶ "We now [in A. D. 1280], for the last time, see the old English dual," etc.** The pages before us literally swarm with passages of this description; as if the writer's knowledge were coextensive with all that is to be known. And many other passages, of a different kind, are much on a par, for their extravagance, with the preceding. We transcribe a few:—

"*Pickwick* will keep this [the expression *on the jar*] alive for ever" (p. 80). "We see . . . . a word which Shakespere was to make immortal" (p. 154). "In substantives, we find the plural *shon* (our *shoon*), one of the few corrupt plurals in *n* that we keep, and which will never die out, thanks to a famous old ballad in *Hamlet*" (p. 167). "In this book we catch our first glimpse of many a word and idiom that were afterwards to live for ever in the English Bible and Prayer Book," etc. (p. 183). "Caxton had many words and phrases which Tyndale was afterwards to make immortal" (p. 287). "Tyndale, a man well known alike at Oxford, Cambridge, and London, may be said to have fixed our tongue once for all" (p. 289). "I have dwelt much on Manning, Chaucer, and Caxton; but it was three

* Page 310. A page before, Mr. Oliphant writes, that, in a book published in 1612, "we find *sithence*, I think for the last time." Thomas Fuller used it twice in 1640, and twice in 1657.

† Page 73.

‡ Page 75.

§ Page 92.

‖ Page 100.

¶ Page 112.

** Page 166.

Englishmen [Tyndale, Cranmer, and Shakespere], writing within ninety years after 1525, who had the honour of settling the form of our speech for ever" (p. 307). "The preposition *þurh* had long before given birth to the adjective *thorough*, and the adverb *thoroughly:* a bold bad man [Strafford] was now to make immortal a noun substantive, borrowed from the adjective" (p. 310). "Nine or ten English writers who are likely to live for ever were at work soon after 1800" (p. 315).

An exact mind revolts instinctively from wildness such as this. "Immortal," and "for ever," and "once for all"! In philology, if we may parody a well-worn saw, an ounce of science is worth a pound of poetry. Who shall say that the time may not come, when English will be more of a riddle than the hieroglyphs of Egypt or the inscriptions of Behistun?

"He [the penny-a-liner] it was, who, having never heard of the works of Wheatley or Cardinal Bona, named a certain party in the English Church, *ritualists:* this was about seven years ago." * If the penny-a-liner did so, it must have been in one of his exceptionally happy moods; for the people whom he so designated required a distinctive appellation; and that which he applied to them is just as well suited to signify "observers of ritual" as to signify "writers on ritual," the sense it bore of old. We have here a development of the most normal and unobjectionable description; and principles which should debar it as illegitimate would, it seems to us, leave no scope for the further expansion of our language in any direction whatever.

"In a letter on prison-discipline, printed in the *Times* of September 5, 1872, we find the wondrous word *penology*. The writer compounds Latin with Greek, and knows not how to spell the Latin he has compounded." † Now, *penology* and *penological* were entered, by Dr. Noah Webster, in his Dictionary, in 1848, if not before; and, for the first of the two words, Dr. Worcester quoted Dr. Francis Lieber, in 1860. But why consider *penology*, any more than *horology*, to be a mixture of languages? As we have ὥρα and *hora*, so we have ποινή and *pœna*. Furthermore, as to real verbal hybrids, we readily learn

* Page 326. † Page 328.

to tolerate them, if handy. Who would think of cashiering *mineralogy* or *terminology*, *murderous* or *righteous?* Or who would prefer a circumlocution to *sociology?* And why insist, pedantically, on *pœnology*, now that we have *penal*, not *pœnal?* If *pœnology*, why not restore *œconomy* and *œqual?*

Further hints of the narrow limits within which the author would straiten our vocabulary are to be gathered from his denouncing *probabilism* and *infallibilist* as "evil words," * and from his wishing that editors of newspapers would forbid the appearance, in their columns, of "new-fangled words," among which he specifies the ancient *acerbity*, the useful *collaborator* and *solidarity*, and the harmless *post-prandial.*† On the other hand: "The fact that America speaks of the *fall*, and not of the *autumn*, ought, in a philologer's eyes, to atone for a multitude of her sins of the tongue." ‡ And again: "When the Irish Protestants were revising their Prayer Book, not many months ago, one luckless wight, a lover of what they call 'ornate phraseology,' was not ashamed to propose an alteration of our grand old Teutonic name for the Third Person of the Trinity. It is needless to say what a reception this piece of unwisdom met with from a scholar like Archbishop Trench. No vulgar hands should be laid on the Ark." § Mentioning this anecdote to a knot of three English clergymen, college-bred, we asked them what they had to say to the Archbishop's conservatism. They all objected to it; and one of them added, with the assent of the rest, that *Holy Ghost*, as invariably suggesting to the vulgar, and often to others than the vulgar, the sanctification of something defunct, should, in his opinion, be got rid of with all possible speed. Our friends are plain, practical, country-rectors. Neither is "ornate phrase-

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* Page 305.

† Page 330. In the list referred to, we find *egoism*, which must be remembered by readers of *Middlemarch*. *Egotism* would have been better there; but still we need *egoism*, as a philosophical technicality.

‡ Page 333. We doubt much whether *fall*, for *autumn*, was ever thoroughly established as good English. Perhaps it is only Cockneys, among modern Englishmen, that talk of taking medicine "in the spring and *fall*," to keep their blood pure. In East Anglia, and perhaps elsewhere, *the rise of the leaf* and *the fall of the leaf* are still common for *spring* and *autumn*.

§ Page 328.

ology" at all in their line; nor are their hands "vulgar"; nor have they, we are sure, the slightest disposition to profane "the Ark."

Still more determinate, in their drift, are the extracts which here follow: —

"The verb *ear* is happily preserved in Shakespere, and in the English Bible. It is one of the first words that ought to be revived by our best writers, who should remember their Ar-yan blood" (p. 12). "Many old Teutonic endings have, unhappily, dropped out of our speech, and have been replaced by meaner ware" (p. 15). "A table of the Old English prepositions is a mournful sight. Too many of them have been dropped altogether; and some have been replaced by cumbrous French compounds, such as *on account of, according to, in addition to, because of, in spite of, on condition that, around, during, except*" (p. 26). "*Tô* is still used, in America, in one of its old senses, where we degenerate English should use *at*. We find, in the Beowulf, *sêcean tô Heorote*,* 'seek at Heorote'" (p. 27). "We have already lost enough, and too much, of the good old English" (p. 27). "The Irish rightly say *meself*, not *myself*. This is the old dative *mê sylf*, brought to Erin by Strongbow's men-at-arms" (p. 30). "We have had a sad loss in *for þam*, the Latin *quia*, which we began to replace, in 1300, by an ugly French compound" (p. 31). "Our speech is now but a wreck of what it once was" (p. 32). "It is a pity that we have lost our accents" (p. 33). "Now and then a good old word is sadly degraded" (p. 33). "The modern *th* here first appears, for the good old character that our unwisdom has allowed to drop" (p. 38). "Northern English had become very corrupt since the year 800" (p. 50). "The preposition is uncoupled from the verb, in our bad modern fashion" (p. 52). "It is hopeless, after seven hundred years of wrong spelling, to talk now of King *Ælfred*" (p. 86). "We degenerate writers of later days use few compounds but those with *out, over, under*, and *fore*," etc. (p. 98). "We have lost many of them [Orrmin's words], and have thus sadly weakened our diction. But

* The *seek to*, that is to say, "resort to," of the Bible will naturally, but misleadingly, be suggested by Mr. Oliphant's words. The *Beowulf*, ll. 3973 – 3975, has *sêcean . . . . hilde tô Heorote;* "to seek . . . . a struggle at Heorote." Further, Mr. Oliphant forgets that *to*, in certain constructions, still signifies *at*. He himself, at pp. 49, 94, 111, and 278, writes: "Our classic modern English comes from shires far *to* the East of Gloucester," etc., etc. For *to* is not here equivalent to *towards*. Once more, "arrive *to*" was used for ages by writers of the highest repute.

our best writers are awaking to a sense of our loss; and such words as *unwisdom* are coming in once more" (p. 99). "We now find, for the first time, such compounds as *overking, overlord;* words happily revived in our own day" (p. 102). "This word [*world*] is still rightly pronounced as a dissyllable, in Scotland" (p. 103). "*Everihwar* . . . . we now wrongly spell as *everywhere*" (p. 118). "*Sly* . . . . has been sadly degraded" (p. 146). "In this Psalter we see the beginning of the corruptions embodied in the phrase *those who speak*, a phrase which often, with us, replaces the rightful *they that speak*, the old English *þâ þe*" (p. 149). "*That* is the true old English relative, representing *þe:* the others [*who* and *which*] are thirteenth-century upstarts. . . . . If we wish to be correct, we should translate 'qui amant' by *they that love: those who love* can date no higher than 1250" (p. 150). "The verbs *delve, cleave, swepe*, and *wepe* take weak perfects. This process has, unluckily, always been going on in England" (p. 151). "Two foreign words were pronounced, in 1300, just as we wrongly pronounce them now: *Stevene* (Stephanus), ... and *yused* (solebam)" (p. 178). "From the West came one of the worst of all our corruptions, Layamon's active participle in *ing*, instead of the older form [in *-and*]" (p. 184). 'To the *bond* (servus) of the aforesaid poem he fastens a French ending, and thus compounds a new substantive, *bondage*, wherewith he translates the French *vileynage.* This is a most astounding innovation, the source of much bad English" (p. 185). "It is a pity that our Lincolnshire bard did not keep alive the indefinite *man.* In this we have had a sad loss" (p. 193). "A baleful century it [the fourteenth] was, when we look to English philology. . . . . We may put up with the building [the English language] as it now stands; but we cannot help sighing, when we think of what we have lost" (p. 215). "We have become mere slovens in diction" (p. 244). "We see the unhappy French word [*afraid*], which has driven out the true English *afeard*, at least from polite speech" (p. 245). "*Bondman*, in the Parson's sermon [in Chaucer], is taken in the Gloucester sense, not in that of Rutland; and this bad sense it has kept ever since" (p. 275). "Pity it was, that the printing-press did not come to England a few years earlier: we might, then, have kept the old plural ending of the verb in *en*" (p. 281). "This *very* (valde) was not well established, in standard English, until sixty years later, when it, unhappily, almost wholly drove out *right*" (p. 281). "Robert of Brunne's *holy* (integre), is changed into *wholie*, a wretched corruption which we are still doomed to write" (p. 282). "There are here [in Caxton] many old Teutonic words, now obsolete, which we could ill afford to lose, and which Tyndale, unhappily, did

not employ in his great work, though they must have been household words in his childhood" (p. 286). "England was slowly forgetting her old words; and the bad habit would have been carried further, but for Caxton's press and [but] for a great religious change that happened forty years after this time" (p. 288). "We have to regret that, by 1525, such words as *certain*, *herbs*, *loins*, *physician*, had supplanted good old English equivalents" (p. 292). "What fine old idioms we have preserved to us in *well is thee*, ... *the gate opened of his own accord*, *the more part of them*, *do you to wit*, *to have an evil will at Zion!*" (p. 302). "This last [word, namely, *its*] comes not once in our Bible; but Shakespere sometimes has the unlucky new-fangled word. These corruptions commonly begin with children, and are then passed up to women, and, at length, to men" (p. 309). "*Holpen* has been replaced by *helped*, though the true form occurs in one of the oftenest-read parts of the Bible" (p. 309). "It is delightful to hear the peasantry talk of *sackless* (innocens), and *he coft* (emit)" (p. 334).

Blunted indeed must be one's sense of pity, if untouched by the perturbation of mind which Mr. Oliphant suffers from prosecuting English philology. On varying occasions, he owns himself *amazed*, *astonished*, and *astounded:* eight different things are, to him, *wondrous;* and seven others are *wonderful*. We shall not enumerate his uses of *hideous*, *marvellous*, *mournful*, *startling*, and *strange:* but he brings in *sad* nine times; *sadly*, six; *unhappily*, twelve; *unluckily*, four; and *woefully*, three. A less exalted state of emotion than that which seems habitual to him would, perhaps, have been advantageous to his researches. In his opinion, from any point in the past which one pleases to fix, the future of English has been a mistake. From time out of mind, as he views matters, we have been steadily going down hill, in the article of our mother-tongue. Adopting, for the nonce, his wont of wondering, we marvel that, if our language has become so irremediably depraved as he would have it to be, he should condescend to employ it.

To complete a faithful exhibition of his views, a single quotation more will amply suffice: —

"I now give three sentences, which will bring three different forms of what is called English, into the most glaring contrast. Each contains more than twenty nouns and verbs.

"I. Stung by the foe's twitting, our forefathers (bold wights!)

drew nigh their trusty friends, and were heartily welcomed; taught by a former mishap, they began the fight on that spot, and showed themselves unaffrighted by threatening forebodings of woe.

"II. Provoked by the enemy's abuse, our ancestors (brave creatures!) approached their faithful allies, and were nobly received; instructed by a previous misfortune, they commenced the battle in that place, and proved themselves undismayed by menacing predictions of misery.

"III. Exacerbated by the antagonist's vituperation, our progenitors (audacious individuals!) approximated to their reliable auxiliaries, and were ovated with empressement; indoctrinated by a preliminary contretemps, they inaugurated hostilities in that locality, and demonstrated themselves as unintimidated by minatory vaticinations of catastrophe.

"These three sentences at once carry the mind to Hengist, to William the Conqueror, and to the Victorian penny-a-liner. Of the three, the first is made up of good Teutonic words that are among our choicest heirlooms: some of them have been in our mouths for thousands of years, ever since we dwelt on the Oxus. The second sentence is made up of French words, many of which, so far back as the thirteenth century, had the right of citizenship in England: they are not, indeed, to be ranked with the Teutonic words already given, yet are often most helpful. The third sentence is made up of Latin words, mostly not brought in until after 1740: wholly unneeded in England, they are at once the laughing-stock of scholars and the idols of penny-a-liners. The first sentence is like a Highland burn; the second is like the Thames at Hampton Court; the third is like London sewage. Or, to borrow another illustration, the first sentence is like Scott's Jeanie Deans; the second is like the average young lady of our day; the third is like Fielding's loathsome Bellaston woman." *

Anybody who employs an expression which Mr. Oliphant disrelishes is, with him, a penny-a-liner; and, since the words which he groups together in III. are presented as being, without exception, the exclusive property of penny-a-liners, it is hard to guess what one writer, for many generations, can rank, in his eyes, as tolerable.† For it is to be observed, that it is not

* Pages 344 – 346.

† So severe a scourger of others' English should have looked more heedfully to his own.

"Few hamlets [*supply* with names] ending in *by* are found to the West of this

peculiar uses of words, or peculiar collocations of words, but words themselves, that he ostracizes. "Exacerbated by the antagonist's vituperation" is, as a whole, and with reference to what is intended by it, ridiculous; but, for all that, *exacerbated*, a word used by Landor, is well enough on occasions easily conceivable, though not to signify *provoked*, — just as *provoked* does not signify *stung*. And so *antagonist*, *enemy*, and *foe* are, all, good, and useful, and different; and the same is the case with *vituperation*, *abuse*, and *twitting*. Who, again, would understand the same thing by "ovated with empressement," "nobly received," and "heartily welcomed"? But we forbear criticisms so very obvious. Nor can we agree with the judgment that *antagonist*, *audacious*, *approximated*, *auxiliaries*, *preliminary*, *hostilities*, *locality*, *demonstrated*, *catastrophe*, etc., etc., are "the laughing-stock of scholars";* and, as to *empressement* and *contre-*

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line" (p. 94). "I now bring forward a poem that may perhaps come from Cambridge, the Bestiary, that [*read* which] is printed in Dr. Morris's *Old English Miscellany* (p. 125). "This Creed, short though it be [*read* is], shows us," etc. (p. 137). "The word was henceforth only used [*read* used only] of women" (p. 154). A like mistake occurs at p. 132. "The last two [*read* two last] words give us," etc. (p. 164). There is a similar mistake at p. 289. *Two last*, which is right, but not where *last two* is meant, is found at p. 252. "Not *one* of these forty French words *were* in English use before the battle of Hastings" (p. 219). "This phrase [*genteel*], Thackeray tells us, was admired by Miss Honeyman more than any [*supply* other] word in the English vocabulary" (p. 223). "Why has not this work been printed [*read* was not this work printed] long ago?" (p. 256). "A long roll of noble works, that have followed each other [*read* one another"], etc. (p. 288). "Tyndale stands in a far nearer relation to us than Dante stands [*supply* in] to the Italians" (p. 304). "To maul an old term, whether English or French, is to imitate the clerical boors who [*supply* have] wrought such havock at Durham and Canterbury within the last century" (p. 331). "Could the difference between the scholarlike [scholarly *being intended*] and the vulgar be more happily marked?" (p. 342.)

Mr. Oliphant pronounces that "we have become mere slovens in diction"; and his first person plural, its comprehension considered, is judicious. At p. 302, premising mention of Fulke, he says: "It is to be wished that he could come to life, and be clothed with full power over the English press in our own day. Many a penny-a-lining quack would he yoke to the cart's tail." Let us hope that he would be satisfied with some milder punishment for the offences, grammatical and idiomatical, of an Oxford M. A.

* We repeat the assertion: "The third sentence is made up of Latin words, mostly not brought in until after 1740: wholly unneeded in England, they are at once the laughing-stock of scholars and the idols of penny-a-liners." But how stand the facts? Hooker and Sir Richard Baker use *antagonist;* Dr. Donne, *vituperation;* Sir Thomas Elyot, Sir Henry Savile, Spenser, Shakespeare, and the Bible

temps, assigned to the same category, — though the author cherishes *ennui* and *prestige*,* — we have, in them, words which, though a severe taste rejects them, many a man who holds a highly respectable place in literature has not scrupled to use. *Reliable*, with which, as an anomaly, we should have to bracket *accountable*, if it were new, has already been widely countenanced by the learned, and, as we have no word synonymous with it, will probably soon be reckoned classical. And even *ovated* one could make a fight for, at least on the score of its being short, saving a periphrasis, and conforming to an established analogy. Touching this modernism, as touching thousands of its fellows, it should be borne in mind, that almost every bygone century, for a long period, has witnessed the introduction among us of similar terms, which many persons at first denounced as unnecessary, just because they were novelties, but which subsequently became good English. *Civilization* itself was too much for Dr. Johnson.

As regards III., Mr. Oliphant says, in a foot-note, that he has there "shown the Victorian penny-a-liner at his very best," in giving him "two Greek words and two French words." He also apprises us, however, that, for "many of the words of number III., grand rolling words far above my poor brain," he is indebted to a work on synonyms, published by a Mr. Soule. By confessed contradiction, therefore, III. is at once a most favourable representation of reality, and an exaggeration of reality which it cost some pains to elaborate. In truth, it is

progenitor; Shakespeare, *audacious*; Bacon, Henry More, etc., etc., *individual*; Sir Henry Savile, Philemon Holland, Francis Bowman, and Dr. South, *auxiliaries*; Milton and Clarendon, *indoctrinate*; Jeremy Taylor and Dryden, *preliminary*; Drayton and Milton, *inaugurate*; Atterbury, *hostilities*; Glanvill, *locality*; Shakespeare, etc., etc., *demonstrate*; Sir Thomas More, Bacon, etc., *minatory*; Philemon Holland, *vatication*; Spenser, Shakespeare, etc., etc., *catastrophe*. For *exacerbate*, Dr. Johnson gives no authority; but who can doubt that it appeared before 1740? Bacon has *exacerbation*. As a verb neuter, *approximate*, possibly, is not older than Burke: as a verb active, it is found in Barrow and Sir Thomas Browne. The particulars here set forth we obtain, mostly, from the best known of our Dictionaries. *Intimidate* was recognized by Adam Littleton and Miege before the Revolution, and occurs in Bishop Burnet: *unintimidated* grew out of it quite naturally. Coleridge printed *reliable* as long ago as 1800.

We have seen how bad a character is given to *auxiliaries*. Yet Mr. Oliphant himself uses it at p. 190. And, while he scouts *catastrophe*, he patronizes, at p. 258, *phœnomenon*.

* Page 338.

strictly comparable with a paragraph from Archibald Campbell's caricaturing *Lexiphanes;* and it should have had no place in a chapter which promises to instruct us about "Good and Bad English in 1873." Lord Macaulay was somewhat fond of turns of expression which we know best from the Bible: but who would offer a sentence composed wholly of these, as a sample of his general manner? "The bairn eke clave to the skin-book's rede, better be a swinker among the upland folk of the Angel cyn, than a swiller of dishes to the outlandish overlord." Would Mr. Oliphant relieve us of the paternity of this pretty sentence, made up entirely of his own pet archaisms?

The style of English which Mr. Oliphant essays to write is, save where he happily forgets himself, an approximation to that which he recommends theoretically. To the specimens of his diction just given we may add *churchman*, *mainland*, *maker*, and *shire*, for *ecclesiastic*, *continent*, *poet*, and *county;* peculiarities which provoke reflection rather than challenge acquiescence. *Lesser* enjoys his sanction; and his "*each* man who is worth *aught*," and "*ere* many years," we are expected to receive as exemplary prose English of 1873. The substantives *agriculturist*, *operative*, and *vocalist*, with the adjectives *additional*, *educational*, and *therapeutic*, we understand him to proscribe outright; yet what would the old authors whom he accounts so pure have said to his *adjectival*, *archaic*, *exceptional*, *gerundial*, *prepositional*, *redoubtable*, *revolutionize*, *sewage*, *suffix*, and "*crack* writers"? The words *synthesis* and *analysis* he seems to hug himself on contriving to dispense with.* Yet how long has his *witness*, for *see*, been established? Or how long his *replace*, to import "take the place of," and "put in the place of"? His *lengthy*, to bear either the sense he gives it, "somewhat long," or the sense of the disused *longsome*, "tediously long," violates all ancient analogy. This, like his *Southerner*, — a formation akin to *foreigner*, — came from America. His *decade*, for "space of ten years," is so modern as to have escaped every dictionary accessible to us; and, further, it is just the sort of term we should have counted on his branding as penny-a-liner-like. Locutions like "were being reunited," which purists

* Page 15.

greatly less rigorous than himself very consistently condemn, bestrew his pages with a frequency rarely to be found paralleled. In short, not only is the medley of old and new, in his language, operose, jejune, and vague, but, to get at his meaning, we have often found it necessary to reread his sentences, and to translate them into living phraseology. His choice of English, his ever-present mannerism, and his abiding lugubriousness, must be very irksome to any one but a philosopher.

The pervading whim of the book under notice has no warrant in right reason. In any age, or among any people, the language then and there prevalent is the result of numerous concurrent causes; and, as these causes are never, for any length of time, individually stable, or uniformly operative, every language is perpetually changing. Change, however, does not of necessity imply deterioration; else no language could ever have been on the way to amendment, and Ennius must be preferred to Cicero, and Robert Wace to Voltaire. It is from want of intellectul culture, and from want of æsthetic culture, singly or conjointly, that a language degenerates. To keep to our own tongue, and confining ourselves to modern times, we cannot but acknowledge that English was perceptibly retrograde during the reign of Charles II., and again during the reign of George II. With these periods, as to their prevailing English, those of James I., Anne, George III., and our own, stand in salient contrast. But who is to say whose English, relatively to the needs of his age, is the best, Dr. Donne's, Sir Richard Steele's, the elder Colman's, or Dr. Newman's? Each of them has employed, under the guidance of cultivated taste, the diction of his educated contemporaries; never distressing himself to avoid useful or acceptable novelties, and never asking himself whether a given expression came from the banks of the Tiber, or from the forests of Germany. Had they written after a theory, they would not have been the first-class writers which they are. Archdeacon Hare very truly remarks, that "the reformers of language have, generally, rushed on, like most other reformers, with the self-sufficient confidence of ignorance, and with a reckless disregard of everything that does not chime in with their fantastical devices." It is would-be reformers of

English that he points at; and the latest of these is, all things considered, as reprehensible as Cockeram or Pinkerton.

Is a word derived to us from the Anglo-Saxon, or from Scandinavia, intrinsically better than a word which we owe to the Latin? Those there are who unhesitatingly deem it to be so; yet of reason in support of their preference we have never discovered so much as a shadow. The one may deserve the option, or the other may deserve it, according to circumstances, but on this ground only. Try as we might, we could not turn the Latin, Greek, and Keltic out of our speech. Our lingual hybridism is ineradicable. And what if it is! Was the Anglo-Saxon invented by autochthones who lived in a happy corner by themselves, uncontaminated by the talk of their neighbours? Latin is a composite, Greek is a composite, Sanskrit is a composite. So is English; * and, solely from being the completest mongrel of all, it is the most expressive of all. Scarcely a single Latin word used by anybody nowadays, however infrequent its true employment may be, is absolutely a superfluity. With exceedingly few exceptions, our so-called synonyms, of Southern extraction and of Northern, are distinctly despecificated. Fashionable as it is to ridicule the style of Dr. Johnson, we venture to ask whether his meaning could be adequately conveyed by expressions simpler than those which he selected. Coleridge, after observing that the number of polysyllabic words in "The Excursion" is more than usually great, goes on to say: "And so must it needs be, in proportion to the number and variety of an author's conceptions, and his solicitude to express them with precision." The same acute critic proposes, "as the infallible test of a blameless style, its untranslatableness in words of the same language, without injury to the meaning." He adds: "Be it observed, however, that I

* "My favourite toast used to be, 'The glorious memory of William the Conqueror.' Greatly are we beholden to him; for, if Harold had won the battle of Hastings, we might now have been speaking some one of those Teutonic dialects which would dumfound a German or a Jew, instead of that rich composite language which is now our mother-tongue." — SOUTHEY, 1839.

Previously, in 1832, Southey had written to Landor: "We have the word [*impugn*], not from the French, but from the Normans, who, by the change which they produced in our language, overpaid this country for all the evils which they brought upon it by the Conquest. A word of Norman extraction must not be expelled under the Alien Act."

include, in the meaning of a word, not only its correspondent object, but, likewise, all the associations which it recalls." Tried by Coleridgian canons, the style of Dr. Johnson is well nigh immaculate. The Doctor wrote exactly what he meant; and no one would have endured his expressing it by Anglo-Saxon developments. Are we, then, to take his excessive Latinism as a model? For a reason that does not lie immediately on the surface, we reply in the negative. Nothing was more characteristic of his mental habitudes than the drawing subtile distinctions. He drew them as he drew his breath. Had he been content with half that he drew, not only would all practical purposes have been fully answered, but his Latinism would have dwindled to the measure, a very tolerable measure, which we see in Goldsmith. To write congruously as he wrote, we must think as he thought. For the rest, his pregnant magniloquence is not for a moment to be confounded with the gratuitous big-wordiness of Sir Thomas Browne and Henry More, or with the plethoric tympany of Dr. Samuel Parr.

We pass to penny-a-liners. In literature, as in every other sphere of human activity, there are services of a humbler order to be performed; and, by the warning of the Greek proverb, we are not to reckon on any but a bad egg from a bad crow. An anxious, half-starved, and ill-educated curate is not expected to match, in elegance or eloquence, a serene, well-fed Father in God who has all the punctiuncles of the Quinquarticular Controversy at his fingers' ends. Even so, our requirements at the hands of penny-a-liners and minor novelists ought to be within bounds of reason. Be it that the phenomenal gooseberry, and the high-bred raptures of the Honorable Seraphina Beauclerc, are not described after a fashion which would satisfy the taste of Mr. Matthew Arnold; still we need not make our lives miserable on that account. Sensitive critics may declaim as they please against the nauseous delinquencies of literary hacks; they will, after all, fail of their reformation. Once grown chronic, their vulgarity, tawdriness, and tumour are simply incurable; and there is an end. What is more, no harm worth taking account of will come from letting them alone. Their example is infectious, to be sure; but the infection of it will scarcely touch any but those whom a want, in

early years, of æsthetic discipline, now too late to be supplied, has predisposed to feel its influence. Landor, in the best of all his "Imaginary Conversations," puts into the mouth of Horne Tooke the opinion, that "our vicious spelling, and everything else that is vicious in language, is likely to deepen; for every fresh shoal of novelists raises up some muddiness, and wriggles against some weed." Assenting to the premises, we reject the conclusion. Proportionally to the number of English readers, probably the number of English writers was as great, a century ago, as it is now; and vulgarisms were, to the full, as rife then as they are in our day. And what is the ultimate history of those vulgarisms? Either they are extinct, or they are still confined to the vulgar, or, in a very few cases, they have won their way to respectability. For our contemporary vulgarisms a like variety of fate is, undoubtedly, in store.

Without a suggestion from one who would reform English, it would never have occurred to us to look on *ear* as a more virtuous verb than *plough*, or to bite our thumb at the Elizabethan worthies who first brought in our base-born but most indispensable little *its*. A purist who mourns over the scholastic turpitude which engendered *its*, ought, in consistency, to protest against our modern distinction between *shall* and *will*, as being a superfluous nicety. Our forefathers had, all along, an instinct that English might be made better; and they bettered it. The same instinct is alive in us; and it will live as long as human beings articulate, and with the same result. The average amount of Latinistic English which has been employed during the last four hundred years is a trifle in comparison with what has, during that period, been proposed by writers of the highest class; and that average amount, we may rest assured, was felt, by the spirit of the age, to be needful. There are many, however, who refer to the Roman element of our tongue, as if the less we had of it the better. Landor, in the "Imaginary Conversation" already quoted, indiscreetly makes Horne Tooke say: "Since we are become a learned nation, not only the words we have cast aside, but also those we have substituted in the place of them, are, mostly, injudicious; and such others as we have taken the trouble to construct, are unskilful botches." To Barrow, further, with extraordinary obliviousness of Barrow's

own example, he attributes the observation: "Our language bears Gallicisms better than Latinisms; but, whoever is resolved to write soberly must be contented with the number of each that was found among us in the time of the Reformation. Little is to be rejected of what was then in use; and less of anything new is henceforward to be admitted." Mr. Oliphant, hopeless, perhaps, of righting what he reckons to be more inveterate wrongs, enounces, with somewhat larger liberality, that a writer duly observant of propriety "will never discard a Teutonic word without good reason; and, if he cannot find one of these fit for his purpose, he will prefer a French or Latin word naturalized before 1740, to any later comer." * By and by some one, very likely, will interdict all Latin words introduced into English since the year 2000. Sir John Cheke, in 1557, considered our tongue as hardly capable of further improvement; and Spenser sang the praise of Chaucer, as a "well of English undefiled." Yet who knows but Chaucer deemed himself, as to his speech, deplorably degenerated from his predecessors? Nay, who can be sure that Shem, Ham, and Japheth did not regret the pure old language of the antediluvians?

Not only does every language constantly undergo change in its constituent elements, but the time at last comes, when it so far derogates from its specific character, as to part with its identity. Sprung from a chaos, it slowly attains an organized form, and then becomes disintegrated. Such, under the operation of divers influences, intellectual, moral, æsthetic, and political, is its ordinary natural history, which, however, is liable to modification, accordingly as these influences act gradually or abruptly. A language, at any given stage of its existence, is, thus, a mirror of the general condition of the people to which it appertains. It is always provisional, a passing fashion; it is never a finality. No expression, therefore, is good merely because it is old; and no expression is bad merely because it is new. The most ancient word in the Veda was once in a state of probation; and our very *and* and *the* may come to be numbered among the most venerable of philological fossils. Palpable as these positions are, our radical reformers of English would seem to ignore them. Be it our

* Page 344.

part to encourage sound education and the cultivation of good taste; and, having done this, we neither need nor can do more for the behoof of our mother-tongue. As to our forefathers, let us rest with endeavouring to emulate their virtues. Their speech was part of an organic whole, and harmonized with all its accompaniments. And our speech is part of another, and a very different, organic whole, which we shall only mar by discord, if we affect the diction of antiquity. And, while we would dissuade from trying to call back that which was fated to perish, we would also dissuade from solicitude to improve on that which, in the estimation of the most competent judges, asks for no present amendment. Neither from studious retrogressionists nor from studious innovators can we hope for a stamp of English superior to what we now possess. Consideration being waived of those exceptions for which it is the province of thorough scholarship to legislate, then only does a language, circumstanced like ours, develop healthily, when, silently controlled by the liberal culture of influential writers and speakers, it develops all but insensibly.

FITZEDWARD HALL.

ART. IV. — *Lombard Street. A Description of the Money Market.* By WALTER BAGEHOT. New York: Scribner, Armstrong, & Co. 1874.

MR. BAGEHOT'S work upon "Lombard Street," in its interest for the American public, bears to that on the "English Constitution" the relation of the special to the general. Undoubtedly it is of chief importance that the spirit of criticism and amendment, in our institutions of less than a century, should proceed upon a careful study of that other frame of government upon which they were substantially based, and which alone among modern nations has borne the germs of popular freedom in continuous and more or less steady development for upwards of five hundred years. But there is a pressing and immediate necessity that we should arrive at some settled

and sound principles upon the subject of currency, and still more upon that of banking. It is a bold man, however, who, valuing his reputation for common-sense, undertakes in this country and at this time to write upon these topics. Any one who has passed into Boston over the Brighton Road and the Mill Dam, in one of our northeasterly storms, will have noticed that, through the steady pressure of the wind and the rain, there come at intervals furious gusts, in which both seem to beat with unusual violence. In like manner, while there is a steady stream of financial writing in newspapers and periodicals, any marked event, like a financial pressure, a sudden rise in gold, failures among the national banks, will produce a tempest of theories, before which the public, buffeted and breathless, takes refuge in contempt and despair. And the phenomena, in both cases, are about equally barren of result. As Mr. Bagehot says, after ten years of such discussion, we have not begun to arrive at the nature of the problem with which we have to deal. Our financial writers are like the spirits in the second circle of Dante's *Inferno*, condemned to be beaten about incessantly by contrary winds: —

> "Cosi quel fiato gli spiriti mali,
> Di quà, di là, di giù, di sù, gli mena
> Nulla speranza gli conforta mai,
> Non che di posa, ma di minor pena."

Still, when so high an authority undertakes an analysis of English banking, it may be a shade less unprofitable to examine his conclusions in the light of our own experience.

Mr. Bagehot begins by declining altogether to discuss the Bank Act of 1844, on the ground that that Act forms such a bone of contention between the two parties in favor of and hostile to it, that his readers would judge his book at once from the partisan point of view. There are two reasons which justify this attitude of Mr. Bagehot, and yet render some reflections upon this Act of great importance to us. In the first place, we know from his other writings that he is, upon the whole, favorable to the Act, and as it is for the present firmly established, and there are no signs of any intention on the part of the leaders of either of the great parties to depart from it, there is no need of any defence of it in his

book. Secondly, there is throughout the book, as it seems to us, and as we shall presently explain, a misconception as to the true nature of bank deposits, — a misconception upon which are based nearly all the arguments against the Act of 1844, advanced by parties who are hostile to it.

The prime object of the Act of 1844 was to secure the absolute convertibility into specie, at all times, of the note circulation of the country. As there is, financially speaking, hardly any consummation more desirable for the United States, we shall devote a short space to the consideration of the principles on which the Act is based and the results obtained. The necessity of contraction to remedy a disordered currency, first insisted on by the Bullion Committee of 1810, was assumed as a starting-point. One can hardly suppress a sigh in thinking how this elementary principle, this A, B, C of currency, is being fought over in this country. Another assumption, for which there is the high authority of Lord Overstone quoting Hon. Daniel Webster, was this: that a currency convertible into specie may be greatly inflated, the inflation manifesting itself only at a subsequent period. By parity of argument, the premium on gold at any one time may not show the actual depreciation of an inconvertible currency, — a fact which we believe this country has yet to learn by sharp experience. Assuming, then, that an inflated currency, even though convertible, creates unfavorable trade, and thus tends to lay the foundation of an excessive demand for specie export, the object was to detect this tendency at the earliest possible moment, and to check it by contraction of the currency. This end would be attained if every pound sterling of gold exported, beyond a certain limit, caused the annihilation of a corresponding amount of currency. To effect this, however, it was necessary that currency should be entirely separate from banking, because otherwise gold might be drawn out by depositors and exported, without any reduction of the note currency or consequent contraction. If, after thus separating currency from banking, the whole circulation was based upon specie, that is, if no note was issued without a corresponding quantity of gold behind it, it is perfectly obvious that a suspension of specie payments would be physically impossible. But it was

held that this extreme theoretical perfection was not necessary. There was a point beyond which contraction could not be carried without so greatly depressing prices as to bring gold from all parts of the world. A certain amount of the currency must therefore remain out under all circumstances. It could never be all presented. And if it could be ascertained what amount was certain so to remain out, it would be perfectly safe to issue that amount against permanent securities, as bonds, mortgages, and the like. In the actual case under consideration, all banks having the right to issue notes were to take the amount outstanding on a certain day as the maximum which they were never to exceed. In addition to this the Issue Department of the Bank of England was to issue £14,000,000 of notes (making about £33,000,000 to £34,000,000 in all) against government securities. Beyond this amount it might issue notes to any extent against gold, and only against gold actually in hand. The result has been that never during thirty years since the Act was passed has there been the slightest doubt as to the redemption of the note. During three severe financial crises, involving the suspension of the Act for reasons which we shall presently touch upon, and when the rate of discount was as high as ten per cent, the Issue Department has never held less than one third of its outstanding notes in gold, which was entirely at the disposal of any one who could present its notes. The objections to the Act as far as the circulation is concerned have been only two: first, that while the business of the country has more than quadrupled, and therefore requires greater facilities, the amount of the note circulation has remained nearly stationary. To this it has been replied, as it seems to us most conclusively, that notes can be had to unlimited amount in exchange for gold, and that, if they have not increased, it is simply because the trade of the country has not brought in the requisite amount of gold. The second objection is against keeping so large an amount of gold (on the average £20,000,000, or $100,000,000) unproductively on hand. But the cost of doing this is exactly measured by the interest on the sum. If an amount of £10,000,000 were added to the issues on fixed securities, the annual saving at three per cent would be

£300,000, or $1,500,000. Probably this might be done with entire safety, but the sum is a small one for the nation to pay for the insurance of that priceless blessing, a currency convertible beyond the possibility of question.

The other objections to the Act will be treated of when we come to banking; but with these exceptions, and as far as the circulation is concerned, we believe the bitterest enemy of that Act will not question its successful working, or the demonstration of the principles on which it was based. And however little Mr. Bagehot may think it worth while to undertake a defence of it, the importance of a thorough understanding of it in this country can hardly be overestimated. All of the thousand and one schemes for resuming specie payments, which are either in earnest or worth attention, involve contraction; one half of them being directed to depriving this process of its sting, and the other half to committing the country to go through with it, however severe that sting may be. But few or none of them include in their calculations the object to be obtained by contraction. Bringing gold to par is by no means equivalent to specie payments; and if we were to come to specie payments, that does not at all imply their continuance for six months or six years to come; and again, upon the adjustment of the currency it depends whether by a mininum of contraction and consequent suffering we shall arrive at a permanent and stable system of specie redemption, or whether by a tremendous crisis and almost universal bankruptcy we shall force gold down to par, to see it again bound upwards after an interval of a few months. Believing as we do that contraction is a stern necessity, and the evils of it in no wise to be avoided, we also believe that the first step is to digest thoroughly the system upon which we propose to do business in future: just as to a man about to jump out of a fourth-story window, we should commend the previous careful disposition of a feather-bed on the sidewalk below. In the present confusion of the greenbacks and the national bank-note system, adequate contraction would be wanton and superfluous cruelty. The Suffolk Bank system, which answered fairly well for New England, would be an impossibility for the whole country. But that system was a step in the right direction. It provided for

redemption by one bank. If it had also included issue by one bank, and confined that bank to the business of issue alone, we should be much nearer the solution of the problem. The objection to a monopoly of profit would be met by a bargain on the part of the Treasury which would leave to the issuing bank just sufficient compensation for doing the business, and retain the profit where it belongs, for the nation at large.

A recurrence to our opening reflections warns us to quit speculation and to stick to our text. We have stated that throughout Mr. Bagehot's book there seems to us to be a misconception as to the true nature of bank deposits; and as upon it the whole discussion will turn, it is important that this should be clearly explained and established. Not only Mr. Bagehot, but every other English writer with whom we are acquainted, treats bank deposits as the actual savings of the community, left for security and convenience with the class of persons called bankers, who make use of them in loans to their customers, and points to the vast increase of these deposits as evidence of the accumulation of wealth in the last thirty years. On the other hand, nearly all writers upon the subject in this country take the ground which will be assented to by almost any bank cashier of intelligence, that these deposits are in fact creations of currency by the banks in exactly the same sense and with the same effect as their note issues. The importance of the consequences which follow upon these different theories renders it necessary that we should enter upon a succinct analysis of the nature and operations of a bank.

Let us suppose such an institution to commence with a capital of $100,000 paid up in specie, and with $50,000 in notes or bills prepared for issue. The national banks are the same in principle, though they get their circulation by first investing their capital in government bonds. Of the numerous bills offered for discount the bank accepts say $100,000, and pays out its notes and half its gold. These, after passing through various hands, form the receipts of a large wholesale dealer, who sends them to the bank to be kept for him. The bank gives him a little book, called a pass-book, with the amount entered on it which he is entitled to receive when called for. But supposing he does not call for it, the bank may proceed to

lend again the $50,000 of gold and notes by granting a discount to somebody else. Next we will suppose that a large mercantile firm wish for $50,000 for a time, and give their notes to be discounted. They do not wish for either gold or notes, but that the amount shall be placed at their credit, to be drawn as wanted. They in like manner receive a pass-book with the amount $50,000 entered at their credit. The bank accounts will now stand, exclusive of interest:—

Assets.

Notes discounted, payable in the future,	$200,000
Gold in reserve,	50,000
	$250,000

Liabilities.

Capital stock (belonging to stockholders, a claim on the gold or notes discounted),	$100,000
Notes payable in gold on demand,	50,000
Deposits " " or notes,	100,000
	$250,000

If a depositor has occasion to pay any money, he gives to a third party a check or order on the bank for a certain sum. If it is a small amount, the payee may draw out notes or gold; but, if a large one, he probably makes a deposit in the bank on his own account, and the sum is credited to him and charged to the drawer of the check; in other words, it is transferred from one account to another, and may go on being so transferred until some person who has a note to pay at the bank sells his property for a check on the bank. This check pays his note, and, being charged to some depositor, *cancels* that amount of deposits.

When there are two or more banks, the statement is somewhat more complicated, but the result is precisely the same. The purpose of the clearing-houses of New York and Boston is to exchange the checks and bills of the different banks among themselves, but the effect is to make them practically one great bank. It consolidates their deposits into one great mass, and makes transfers from one account to another as a single bank would do. To illustrate this compare the sup-

posed account of one bank, which has been given, with the clearing-house returns of all the New York banks for the week ending December 29, 1860, before the suspension of specie payments: —

Assets.

Notes discounted and loans,	$ 131,316,258
Specie,	23,275,058
The balance not included in the returns consists of items of property such as real estate, fixtures, etc.,	10,620,637
	$ 165,211,953

Liabilities.

Capital stock,	$ 69,758,777
Circulating notes,	8,287,582
Deposits,	87,165,594
	$ 165,211,953

The item of deposits goes along with only a small percentage of change from day to day, from week to week, and from month to month, notwithstanding that the exchanges at the clearing-house may vary by tens of millions daily.

The theory of these deposits which we wish to establish rests upon three propositions. *First.* They are money, and while they exist are the exact equivalent of notes and gold. *Second.* They are money created by the banks, and just as much an addition to the circulation as if the banks issued so many additional notes. *Third.* They are money created to an indefinite extent by means of promises to pay on time, and cancelled by payment of those promises.

First. Deposits are money. If you wish to pay a debt, or make a purchase, and you offer gold coin, bank-notes, or a good check, the two latter being, of course, redeemable in specie, would the recipient have any choice; or would he not prefer the check as a matter of convenience? It is important to remark that the check is not the money. The money is the deposit in bank, which may be transferred by check any number of times, and still remain the same sum. And these three things are the only ones which strictly fulfil the definition of money; that is, what one man takes from another, which a third will take from him, without any question of price. If

you wish to buy a piece of land, and offer barrels of flour in payment, the price of both must first be determined; but if you offer money, the question of price refers to the land alone. And here is a sharp distinction between money and promises on time. The latter, whether in the form of a note at sixty days, or of a government bond at twenty years, involve a question of interest, and, therefore, of price. They may, and do, form a basis for the issue of note and deposit money, but they are not money themselves; a distinction, which, if generally understood, would help to clear away the popular confusion between the condition of our currency and that of our funded debt.

Second. Deposits are money created by the banks, and are precisely the same in effect as an additional issue of notes. We will recur to our first statement of account. Our bank started with $100,000 capital in gold, and $50,000 in notes. Now, there are but two ways of putting money in circulation, — either by buying something, or by making loans. In the first case it is an investment, and the buyer takes the chance of getting more or less than he gave when he wants his money. But in the case of a loan, the repayment brings the money back and takes it out of circulation. As we have seen, the bank has by means of loans put $50,000 of its gold and its $50,000 notes in circulation; and it has also put in circulation $100,000 of deposits by precisely the same method, the difference between writing the amount on a pass-book or on pieces of paper of different denominations being merely one of form.

Again, the bank owes $50,000 in notes and $100,000 in deposits, the claim of which upon its $50,000 gold reserve is precisely the same. For meeting these liabilities it relies upon the future payment of $150,000 of commercial bills which it has discounted with cash. But this cash consisted partly of its own notes and partly of its book credits or deposits; the choice between the two being left to the person applying for discount, as they are identically the same to the bank.

Third. Deposits are money, created to an indefinite extent by means of promises to pay in the future, and are cancelled

by the payment of these promises. The advocates of free banking say that it is nonsense to talk about excessive issues, because if any bank should issue more notes than are wanted, they would be returned at once for redemption. Suppose two banks, A and B, have each granted a discount for $50,000, and given their notes in payment. A's customer pays away his notes to a party who deposits in bank B, and B's customer pays his to a party who deposits in bank A. The two banks exchange notes with each other, and the notes are redeemed, and may be cancelled or reissued. But in either case there remain deposits of $50,000 in each bank, payable to their customers on demand. Take even a simpler case; a single bank has given its notes in payment for a discount, and the recipient pays them to a party who returns them at once to the bank. But unless he draws gold for them, which he will not unless for export, or from distrust of the bank, he leaves them on deposit, and the latter remains a fund at his disposal. The fact is, that the deposit *cannot* be cancelled, unless by payment of the note discounted, or the withdrawal of gold. And as interest has been paid for the cashing of the note, it probably will not be paid till maturity.

Another class of the advocates of free banking maintain that, as notes on time are created by the sale of commodities, no more such notes can be created than the demand for commodities will produce. The assumption on which this assertion is based is in one sense untrue, and in another is of no force whatever. There is no doubt that accommodation notes, made for the express purpose of raising money, form a large part of the bank discounts. But suppose A has a commodity which B will buy on time, hoping to sell it before his note matures. A gets B's note discounted at a bank, and has a deposit at his credit. In a few days C offers B a profit on the merchandise, if he will take his note on time. B gets C's note discounted, and has another deposit at *his* credit. And so the same property may pass through a dozen hands, each time creating a note and the means of adding its whole amount to the deposit currency. Of course, the banks wish to draw interest on as many notes as possible; and as, with the increase of money, whether by deposits or notes, prices advance,

their customers become more and more willing to gain the benefit of a rise in prices by undertaking payment in the future; and the same rise in prices gives an increased rapidity of circulation, which has again the effect of increasing the apparent amount of money.

With this common disposition of the banks and the public there is in itself no limit to the extent to which this discount and deposit may be carried. If the banks are required by law to hold a certain proportion of specie to their liabilities, they must refuse discounts after the proportion has been reached; or if again, by the increase of money, prices are raised and foreign imports are stimulated, until their specie reserves are drawn out for export, they may not only be forced to refuse any increase of discounts, but to contract their deposits by demanding payment of loans, and thus bring on a financial panic.

The deposits of the London joint-stock banks, exclusive of the Bank of England, were, in 1844, £ 10,000,000; in 1861, £ 51,000,000; in 1866, £ 82,000,000; in 1873, £ 93,000,000: and in July, 1874, £ 97,000,000; an increase of more than ninefold; the deposits of the Bank of England having in the same time increased from £ 13,000,000 to £ 27,000,000. And there is reason to believe that the expansion over the whole of Great Britain has advanced, if not in equal, in something like as great, proportion. In view of these figures, the importance can be hardly overrated of deciding between these two theories of deposits, whether they are actual creations of currency, or the accumulated hoards of private savings. Not only is the latter view the one taken by Mr. Bagehot and other English economists, but, so far as we are informed, there is no English writer to whom the possibility of the other explanation seems to have presented itself.* Lord Overstone, in his evidence before the Parliamentary Committee of 1840, denies that deposits are money, but he classes them with checks and bills of exchange (which we hold to be of a quite different nature), making his argument against the latter cover the former also.

* In the January number of the Fortnightly Review is an interesting article by Mr. R. H. I. Palgrave upon Mr. Bagehot's book, reviewing and warmly commending it; but there nowhere appears a trace of a suspicion that deposits are anything but private savings left in care of the banks.

Assuming, for the sake of argument, the correctness of what may be called, for the purpose of distinction, the American theory of deposits, we will consider some of the consequences which flow from it. In the first place, it furnishes, as we have already indicated, a cogent answer to the principal objections against the Act of 1844. The complaint that, notwithstanding the immense increase of business, the note issues of the Bank of England are not materially larger than thirty years ago, is found to be of no force, if we consider that the London joint-stock banks alone have furnished an increase of exactly equivalent currency to the amount of six times the issues upon fixed securities. It is bitterly complained that the Act has not served to prevent the violence or the frequency of financial panics or the corresponding fluctuations in the rate of interest. But besides that, as Lord Overstone has pointed out, the Act of 1844 could not be expected to prevent panics, which would take place even with a currency all metallic, it is evident that this immense superstructure of deposit currency has greatly increased the liability to such panics. In fact, it can hardly be doubted that, without the greatly increased stability given by the Act, this vast fabric of deposit banking could not have been created without involving suspensions of specie payments of more or less permanence.

The three suspensions of the Bank Act in 1847, 1857, and 1866 have caused many sneers at a system which is expected to give way whenever a storm comes on. But, as already stated, these suspensions had nothing whatever to do with the convertibility of the currency. The Issue Department has never at its lowest point held less than a third of its outstanding notes in gold subject to presentation. The demand was not for gold, but notes. The bank reserve of the latter is so small at all times, that any extra drain, whether domestic or foreign, brings on a panic, not as to the convertibility of the notes, but as to the solvency of the banks. It is very noteworthy that the panic in this country last fall was of the same kind. There was no trouble about notes, either greenback or national bank. A panic is a fear lest debtors cannot get the means of paying their debts. But the notes are a legal tender, and a holder of them runs no risk in this respect. If a panic as to the notes

ever takes place, it will find expression in the price of gold. In the existing case the reserves of the banks had run so low that depositors became alarmed as to the possibility of getting notes. Without the issue of what is absurdly called the "reserve" of forty-four millions, the panic would have gone much further than it did, and with that issue and any given amount additional it must break out again at a future day. What, then, is the difficulty with this vast machinery of banking which, standing on so different a footing in Great Britain and this country, and being based on a currency convertible there but inconvertible here, yet results in disasters almost exactly similar in their nature?

Two fundamental ideas run through the whole of Mr. Bagehot's book, of which the first is this: that it is wrong, unjust, and dangerous that the whole banking reserve of the kingdom should be kept in one bank, the Banking Department of the Bank of England. He points out in detail how all the country banks of Great Britain keep their cash resources in some one of the London banks, and how all of these London banks keep *their* cash resources with the Bank of England, so that the reserve of notes in this one institution constitutes the fund which must meet a sudden demand from all parts of the kingdom. This position will be made clearer to us if we suppose all the national banks of the United States to keep their whole cash resources in the New York banks, and these banks to keep all their resources in one bank, say the Bank of Commerce, the latter being required to hold only the regular 25 per cent, or, as a fairer supposition, from 30 to 40 per cent of its own liabilities as reserve. It is not difficult to imagine the consequences of such a state of things here.

Mr. Bagehot makes a comparison of the banking reserves of Great Britain, France, Germany, and the United States, of which the first and last, being chiefly of importance to us, are as follows: —

English liabilities, including the deposits in the Bank of England and the London joint-stock banks, December 31, 1872, ...	£120,000,000
Banking reserve in Bank of England, . .	13,500,000
Percentage of reserve about 11.2 per cent.	

National banks of United States, October 3, 1872 : —	
Circulation, ...	£67,000,000
Deposits, ...	145,000,000
	£212,000,000
Coin and legal tenders in hand, ...	26,000,000

Percentage of reserve about 12.3 per cent.

But this comparison, as Mr. Bagehot himself points out, is defective as including only the figures for the London banks. Mr. R. H. I. Palgrave, in a paper read before the British Association at Bradford, England, and commended by the *Economist* (Mr. Bagehot's paper) as entitled to a high degree of credit, estimates the deposits of all the English banks at £500,000,000, which would give in the above comparison the cash reserve of the Bank of England at a percentage of 2.7 per cent against 12.3 per cent for the national banks of the United States. That the English system, therefore, can carry deposits of twenty-five hundred millions of dollars upon a reserve of less than three per cent, while ours is severely strained with deposits of seven hundred millions of dollars upon a reserve of 12.3 per cent, and that too in a basis of inconvertible currency which cannot be exported, points to a steadying influence of some kind in the former of greatly superior power.

While admitting, however, the grave defects of the one reserve system as practised in England, Mr. Bagehot frankly states that it is useless to hope for or advocate any change. He treats the adoption of a many reserve system as wholly impracticable, dismissing the American system, in which it is required, with a single contemptuous allusion in the last page of his book, and confining himself to the consideration of what should be the proper management of the single reserve in the Bank of England. From this conclusion we wholly dissent, nor do we believe that it will pass much longer in England without serious challenge. Even if all the deposits of the Bank of England were kept in a reserve of notes, the amount would be scarcely five per cent upon the deposits of the country, — a proportion quite inadequate to the effective treatment of those alternations of inflation and panic which are seriously affecting the commer-

cial supremacy as well as the social condition of Great Britain. Again, even if we consider the deposits as the accumulation of individual savings held by the banks, there is no reason why, for the sake of making profits of fifteen to twenty per cent, those institutions should be allowed to loan their resources so closely as to make them in fact grand machines for the aggravation of panics. But the case is infinitely worse if we regard these deposits as actual creations of currency, exactly the same in effect as issues of notes. It is simply monstrous that less than a dozen private corporations should have the power of inflating the currency to the extent of five hundred millions of dollars, without any obligation to hold a steadying balance of cash, and then, when this course of proceeding comes to its natural result of a crisis and a panic, should exert all their powerful machinery to take care of themselves, regardless of the consequences in the social, moral, and commercial character of the people. For it is to be observed that it is by no means a simple question of the solvency of the banks. It is the fashion in England, to which we regret to see that Mr. Bagehot, perhaps upon compulsion as the editor of the *Economist*, conforms, to point to these joint-stock banks as marvels of success and good management, as if the public were only concerned with them as shining examples. The fact is, that these banks, by their immense creations of deposit currency, compel the country to do its business with the very smallest possible amount of gold and notes issued against gold. When this inflation of currency brings on an adverse foreign trade, according to well-known principles, a comparatively small drain of gold creates a scarcity of notes. The joint-stock banks do not burden themselves with any stock of notes, at a loss of interest, to relieve this scarcity. Beyond a moderate deposit in the Bank of England, they keep (and they plume themselves greatly upon their discretion and conservatism in so doing) a large loan at call upon the best collaterals, and a further amount of consols, the most marketable of all securities. Armed with these weapons, they descend upon the money market upon the first appearance of a panic, and bear off in triumph to their vaults the small remaining supply of notes upon which the trading community rely to meet their own obligations, thus immensely

aggravating the crisis which they have themselves been mainly instrumental in bringing on. The Manchester warehouseman, who is forced into insolvency by a sudden clearing out of the Bank of England reserve, must, if he understands it, contemplate with admiration the brilliant success of London joint-stock banking. We believe that any successful attempt to deal with panics, to avoid chronic suspensions of the Act of 1844, and to arrive at the real working of that Act, will be to require every English joint-stock bank, and especially the London banks, to keep on hand a certain percentage of notes to liabilities as a reserve. Upon the American theory of deposits, there can be no question as to the justice of this. And this theory carries another consequence. A reserve in the London banks of twenty per cent upon their deposits of £ 90,000,000 would give £ 18,000,000, which, added to the present issues of the Issue Department, would make about £54,000,000, of which £ 15,000,000 would be issued against fixed securities and £ 39,000,000 against gold. If it were found to be safe to hold £ 19,000,000 of gold and to increase the issues to £35,000,000, the gain to the nation at three per cent would be £ 600,000 per annum, contributed by the London banks as a consideration for the valuable privilege of creating currency in the form of deposits for their own private profit.

What makes all this of practical interest to us is the curious parallel offered by our own case. The New York banks are obliged by law to hold twenty-five per cent reserve against their liabilities of notes and deposits, though it is almost comical that they are allowed to include in this their specie, which, for all its use *in this respect*, might as well be an equivalent value in pig-iron or potatoes. The banks have been very fretful under this restriction, and up to the summer of 1873 there was a great deal of argument used to show that they ought to be released from it, though since the panic of last autumn we have heard no further mention of the subject in public.* On the

* The release of the required reserve against note circulation (except the five per cent deposited with the Treasury), which passed Congress with the usual absence of effective discussion, will probably display its effects in the next panic, not in distrust of bank-notes, which in their accumulated security, including the government guaranty, are quite as desirable as greenbacks, but in that of bank deposits, the convertibility of which is greatly weakened by this diminution of the legal reserve.

24th of September, 1873, their returns showed thirty-four millions of legal-tenders, which are reported to have been soon after reduced to five or six millions. Now, it was exactly the power of enduring such reduction that saved the banks from disaster compared with which what did happen was as the ripple of a summer breeze upon a mill-pond. The London banks are a standing proof that banks which are not compelled by law to hold a cash reserve will not hold any. There is here no Bank of England to carry the burden which properly belongs to others. If the New York banks had been under no restriction as to reserve, the crisis might have been postponed for a year or two, but it would have then come in a shape which would have left but few traces of many of those institutions which have basked in the sunshine of the last eight years.

The reserve required by law under our national-bank system seems to be sufficient in amount, but very badly managed. On the other hand, though the reserve in the Bank of England is quite inadequate in amount, the evil consequences of this are largely obviated by skilful management. And this brings us to the second of the fundamental ideas in Mr. Bagehot's book referring to the principles upon which the management of bank reserves should be conducted. At first sight it would appear to be the true policy of the reserve-holding bank (or banks) to strengthen itself in a time of panic as much as possible; to allow its discounted bills to mature; to refuse fresh loans, and to gather in as many notes as possible for the purpose of meeting demands. But nothing can be further from the truth. Both duty and sound policy require the utmost liberality in such times, and not more than ordinary scrutiny as to security. And the reason of this is very simple. The depositors and the public are always stronger than the banks. No amount of reserve consistent with profit in banking can resist a really serious run. The only hope is in the forbearance of the public. If the impression gets abroad that all loans are soon to be refused, it will bring an immediate rush from all quarters for money. Only the confidence that money can be had when needed will keep back the crowd of claimants who do not really need it. As Mr. Bagehot forcibly remarks, the reserve *may* be exhausted if the bank continues

to discount; if the bank refuses to discount, it is certain to be. It may be asked, however, What proof is there that continued loans will allay panic? Is the bank to go on recklessly, without paying any attention to its reserve, except to increase its liabilities as the latter diminishes? Under the English system, which we are now considering, there are two safeguards: one local and peculiar, and the other of general application. The ultimate one is doubtless the suspension of the Act of 1844. The public are persuaded that the government will not allow the Bank of England to fail, and are therefore very impatient of any restrictive policy in the latter. In 1857, it is said that the Bank, not wishing to rely upon the suspension of the Act, undertook to refuse discounts, but that several large depositors combined to notify the Bank of their intention, if it persisted in this course, to join in drawing out their balances and compelling the Bank to close its doors. The other resource includes the most valuable practical lesson for this country to be found in Mr. Bagehot's book. It is a rise in the rate of interest upon loans, — a rise which should commence when the reserve begins to fall below the average point, should be continued sharply while the reserve continues to decline, and be relaxed only when the reserve again accumulates toward the normal point. Now, as the English method is to lend freely in time of panic with an unlimited advance in the rate of interest; and as the American law prohibits all loans after the reserve falls to the prescribed point, and limits the banks to the rates of interest prescribed by the usury laws of the several States, it is obviously important to discover which of these diametrically opposite courses is correct in practice. The question of continuous loaning was, as has been said, practically settled last fall. The New York banks continued, in defiance of the law, to loan after their reserve was reduced to a fifth of the requirements of that law, and, by the device of loan certificates for the settlements among themselves, made arrangements for devoting their legal-tender notes to the last dollar to this purpose. It was, in fact, a suspension of the banking law precisely similar in nature to the suspension of the Act of 1844 in England, except that the strain, which was met there by the rise in the rate of interest with

only a nominal infraction of the Act, required in this country a considerable supply of notes beyond that contemplated by the law. Our aim will be to show that in a combination of the two expedients is to be sought the true basis for dealing with panics. The New York banks, in the matter of loaning freely, came to the same conclusion which Mr. Bagehot shows the Bank of England to have arrived at after a series of experiments. It remains to consider the subject of a rise in the rate of interest.

This method proceeds upon the theory of contraction. It is assumed that inflation and consequent ease of money have produced, first, a rise of prices, making the country a good one to sell in and a bad one to buy in, causing an excess of imports as compared with exports, in other words, an unfavorable course of trade; second, a similar movement in securities, advancing the prices of those at home and attracting others from abroad; and, third, the withdrawal of foreign capital, which no longer finds attraction in loans and discounts, and also of home capital, which for the same reason seeks employment abroad. When these causes have at length caused a drain of gold in excess of current import and export, and have thereby reduced (we are speaking of England) the supply of notes, a rise of interest produces exactly the reverse effects. First, it brings home domestic capital, and attracts foreign capital to be employed in loans; secondly, a further advance, by depressing securities, attracts purchasers from abroad, or sends off certain classes to be sold in foreign markets; thirdly, if carried to a sufficient point it reduces the prices of all products in the home markets and a reversal of the course of foreign trade: all of which effects together produce a renewed accumulation of gold, a consequent increased supply of notes, and ease in the money market. And besides these indirect and somewhat remote effects of the advance in the rate of interest, it has one other effect which is immediate and direct. In Mr. Bagehot's words, "it will operate as a heavy fine on unreasonable timidity, and will prevent the greatest number of applications by persons who do not require assistance. The rate should be raised early in the panic, so that the fine may be paid early; that no one may borrow out of idle precaution without paying well for it; that the banking reserve may be protected as far as possible."

But with all the advantages of changing the rate of interest as a financial measure, there are some considerations which indicate that it has not yet been fully tested, and leave room for doubt whether it is ultimately to prove an efficient instrument for steadying the mass of deposit currency, which has become such an important problem in modern finance. We believe the great financial cycles to be far more mechanical than Mr. Bagehot seems to suppose. He regards panics or crises as the result of sudden accidents, prominent among which he places deficient harvests, and proceeds to explain how the effect extends to other branches of industry, so that there are "good times" and "bad times" when nearly everybody is prosperous or else depressed. While we admit that such events determine the *times* of commercial crises so that the regular periodicity of the latter cannot be counted upon, we believe them to be the result of a sequence of causes as directly as the seed follows from the bud, the flower, and the fruit. Starting from a period of quietude or stagnation, the great money-lenders, and notably the banks, who have the peculiarity also of creating the money they lend, begin to push out their loans on every side. The ease of money thus resulting, after a greater or less conflict with inertia, gives a start to prices and activity to trade. This, as is well known, is an accelerating process, which, passing through the phases of excitement and speculation, results in inflated prices, adverse foreign trade, a drain of gold, and contraction of notes; the foundation being thus withdrawn, the superstructure comes down with a crash; the whole process, after an interval of stagnation, commencing again. The best illustration of this course of events is to be found in the returns of the New York clearing-house, which have fortunately been preserved for twenty years past. They are for the years ending

	Millions.		Millions.
Oct. 1, 1854	$ 5,750	Oct. 1, 1864	$ 24,097
" 1855	5,363	" 1865	26,032
" 1856	6,906	" 1866	28,717
" 1857	8,333	" 1867	28,675
" 1858	4,756	" 1868	28,484
" 1859	6,448	" 1869	38,527
" 1860	7,231	" 1870	27,804
" 1861	5,915	" 1871	29,300
" 1862	6,871	" 1872	32,637
" 1863	14,868	" 1873	35,455

Note how the figures increase up to the crisis of 1857, how in the year following they fall nearly one half, but again increase up to the panic in the autumn of 1860; falling off again in the depressed year preceding the war, but receiving a tremendous impulse with the suspension of specie payments and the issue of legal-tender notes. The subsequent figures speak volumes as to the real depreciation of our currency and the real difficulty of a return to specie payments, but that is apart from our immediate purpose.

The returns of the London clearing-house have been preserved only since 1867, but they tell the story very distinctly on one side of the account. They are for the years ending

	Millions.		Millions.
April 30, 1868	£3,257	April 30, 1871	£4,018
" 1869	3,534	" 1872	5,359
" 1870	3,720	" 1873	6,003
		" 1874	5,994

The figures for the year succeeding the next commercial panic in England will be of very great interest.

The real instrument for the correction of overinflation and speculation is the panic, with its contraction of currency or of the rapidity of circulation with a fall of prices. The three suspensions of the Act of 1844 calmed the public frenzy in its final agony, but they did not operate the correction of trade. That work was already done. In like manner the changes of interest, though they steady the inflating process and enable it to go on with a smaller basis of reserve, have not as yet succeeded in obviating the necessity of a crisis. In connection with the above statement of the clearing-house returns, a table of the changes in the Bank of England rate of interest since 1867 will not be uninstructive.

	1867.		1868.		1869.		1870.		1871.		1872.		1873.		1874.	
	Day.	Rate.	Day.	Rate.	Day.	Rate.	Day.	Rate.	Day.	Rate.	Day.	Rate.	Day.	Rate.	Day.	Rate.
Jan.	..	..	..	..	..	..	..	..	..	..	..	..	8 22 29	4½ 4 3½	7 14	4 3½
Feb.	..	..	..	..	..	..	..	..	21	3	..	..	..	..	..	..
Mar.	..	..	..	..	5	4	..	..	..	..	..	..	26	4	..	..
Apr.	..	..	..	..	..	..	..	..	12	2½	3 10	3½ 4	..	..	29	4
May	..	..	..	..	5	4½	..	..	..	..	8 27	5 4	7 10 17	4½ 5 6	27	3½
June	..	..	..	..	9 23	4 3½	..	..	14	2¼	12 19	3½ 3	4 12	7 6	3 17	3 2½
July	..	..	..	..	21	3	20* 23 27	3½ 4 5	12	2	17	3½	9 16 23 30	5 4½ 4 3½	..	..
Aug.	..	..	..	..	18	2½	3 10 17 24 31	6 5½ 4½ 4 3½	..	..	..	..	20	3	29 ..	3 ..
Sept.	..	..	..	..	..	..	14 28	3 2½	20 27	3 4	18 25	4 4½	24 29	4 5	5 19 26	4 3½ 3
Oct.	..	..	..	..	..	..	..	..	7	5	2 9	5 6	14 15	6 7	..	..
Nov.	9	2	18	2½	3	3	..	..	15 29	4 3½	9 27	7 6	1 7 19 26	8 9 8 6	..	..
Dec.	..	..	2	3	..	..	..	..	13	3	11	5	3 10	5 4½	..	..

During the years 1867 and 1868 there appears a dreary monotony of low rates. In 1869 there is increasing activity, the rate having once touched four and a half, but business is still so sluggish that the low rates continue through 1870; even the Franco-Prussian war producing only a temporary disturbance. After that year the pace begins to quicken. With frequent fluctuations the rate touches five per cent in the autumn of 1871 and again in the spring of 1872. With still greater fluctuations it touches seven per cent in the autumn of 1872 and the spring of 1873. At length in the autumn of 1873 it reaches nine per cent, the highest ever reached without the accompaniment of violent panic. But there was no panic,

* Outbreak of the Franco-German war.

although the Bank of England reserve had fallen to barely seven per cent on the deposits of the London banks, the reason apparently being that the public have become so convinced that the government will in case of necessity suspend the Act of 1844, that they decline to be frightened. Comparing this table with the clearing-house returns, and with the known facts as to the markets which may be gathered from the London papers of the last few years, we can hardly resist the evidence of a great and rising wave of inflation and speculation which must culminate sooner or later in panic and revulsion. The clearing-house returns show no check given as yet. Money is as easy and prices about as high as at any time previous, and new foreign loans placed on the London market have met with nearly undiminished favor. It is hardly to be expected that the bank will put the rate to what we should call high figures, say fifteen, eighteen, and twenty-four per cent, before the reserve gets low enough to bring on the usual panic and suspension of the Act, but we should very much like, in the interest of science as well as the public welfare, to see a state of things in which the reserves should be sufficient to preclude the possibility of panic, and should be maintained at that point by a resolute and persistent advance of rate to any point that might be necessary, coupled with liberal loans upon all good security.* Mr. Bagehot says that it is hopeless to expect a many reserve system in England, and as it seems equally hopeless to expect a maintenance of reserves by a movable rate of interest here, the solution of the problem must probably be left to another generation, the present one getting on with the rough surgery of panics and with chronic suspensions of law. While, however, we agree with Mr. Bagehot in condemning the "hard and fast line" of our many

* From some appearances, such as the falling-off in the clearing-house returns for the last year, the decline last spring in some of the great English staples, and the continued ease of money with the low rate of interest, it might be argued that the nine-per-cent rate of last fall had corrected inflation without panic; *per contra*, the clearing-house returns, which indeed fell off but slightly, have been gaining again, prices have partially recovered, and the condition of the Bank of England is such as to make the ease of money very precarious. We are inclined to look upon this year as one merely of slack water at high tide, and that the real ebb has yet to take place.

reserve system, that is, which allows the banks to discount at a fixed rate of interest up to a certain point and then forbids discounts entirely, we do not admit that it is a necessary feature of such a system. For instance, suppose that, beginning at the average reserve of thirty per cent, the clearing-house should announce that no bank having less than that percentage would make any loans below a certain rate of interest, which rate of interest would be advanced when the average fell to twenty-nine per cent, and so on. It would be a rule for which the banks would themselves feel no repugnance; and if made a matter of law, with penalties, it would at least not be worse than the present requirement which there is no pretence of enforcing.

After the above was written there appeared in the *Economist* an article, in Mr. Bagehot's marked style, peculiarly apropos to our immediate topic. Its purpose was, after demonstrating the recurrence of financial cycles, to consider what stage of a new cycle the money market is entering upon :—

"But it will be said, What do you mean by perturbing causes? What is it they perturb? What is the usual and constant cause? We answer, that this cause is the *ratio of the savings of the country to its accredited investments.* In a depressed period these savings are more than can be employed in the modes of investment then understood. The beginning of the cycle is a depression in commerce that lasts for a considerable time, no matter how it is caused. Experience shows that in this country such depressions are only temporary; after a short interval commerce begins to revive. In a declining country, where depression was the ordinary condition of trade, and prosperity the exception, all the phenomena with which we are dealing would be reversed. And when trade once begins to augment, the ratio between the savings of the country and its investments very soon tends to be altered. Much more trade means many more 'bills'; many more 'bills' mean a great increase of demand in the London money market.

"This is the first stage of the cycle; and the next question is, Why should not this small rise be the only one, and the moderate advance in the value of money be permanent? The answer is, that the commerce of this country when once started out of depression augments faster than the savings. The prosperity of each trade acts as a stimulus to every other trade. This is the second stage of the

cycle, and we shall be again asked what will bring it to an end. The reply is, that a trade strained to its maximum is a delicate trade, and that any considerable accident is sure to diminish it. Some circumstance or other is sure to happen to lessen the full productiveness of some considerable trade; if this circumstance affects many trades alike, the effect is all the greater, and the course of universal prosperity is broken. This brings us to the end of the cycle. We have reached a period of depression similar to that from which we began, and from that period a similar upward course with similar results is sure to commence again."

This extract illustrates perfectly the point on which we differ from Mr. Bagehot. We believe that the vast mass of deposit currency created by the banks, by means of loans, acts as a stimulus to trade; that by greatly increased rapidity of circulation it urges that trade to inflation and speculation; and that this process results in a drain on the reserve of gold, a contraction of the note currency, and, whatever may be the accident which precipitates it, in a crisis, which the banks, having done much to cause, do still more, by keeping no cash reserve, to augment. Mr. Bagehot, on the other hand, considers that the banks simply receive and employ the savings of the community; that these wait upon the course of trade, which, receiving its impulse only from the progressive spirit of the people, becomes more and more active, and continues to absorb the savings, and that by and by some untoward accident, as a foreign war or a bad harvest, affects one great trade, and the paralysis extending to others, the whole is thrown back to the period of depression. Our view implies that the banks are endowed with vast privileges to their own great profit, and with extreme liability to abuse to the great detriment of the public; and that the government is especially bound to protect the public from such abuse; in short, that deposit currency is just as much a subject of government regulation as note currency; and that in such regulation is to be found the effective amendment of the Act of 1844. According to Mr. Bagehot's view, the banks are merely conducting a trade like any other; a trade which they carry on with great conservatism and success, in many respects with benefit, certainly not with detriment, to the public; and they are therefore entitled to freedom

from government interference. We leave to our readers to decide which view is most logical, and to time to show which is most practical as well as philosophical.

Mr. Bagehot submits in the same article some striking figures in support of the facts as to which we both agree. They show the average rate of interest of the Bank of England for each year since 1844, and we only regret that they cannot be compared with the transactions of the clearing-house during the whole time. The separating lines mark the crises in which the cycles end: —

1844 . . . . 2½	1854 5	1864 . . . . 7½
1845 3	1855 . . . . 4¾	1865 . . . . 4¾
1846 . . . . 3¼	1856 . . . . 5¾	1866 7
1847 5	1857 . . . . 6¾	1867 . . . . 2½
1848 . . . . 3¾	1858 . . . . 3¼	1868 2
1849 3	1859 . . . . 2¾	1869 . . . . 3¼
1850 . . . . 2½	1860 . . . . 4¼	1870 3
1851 3	1861 . . . . 5½	1871 3
1852 2	1862 . . . . 2½	1872 . . . . 4¼
1853 . . . . 3½	1863 . . . . 4½	1873 . . . . 4¾

Two observations may be made upon this table, especially in connection with the details of the changes in the last period given in our previous table: that as the superstructure of deposit currency has grown up from twenty-three millions to one hundred and twenty millions, the fluctuations of interest have become more frequent and violent, in other words, the whole fabric "lurches" much more heavily; and that while the average reserve has in like manner become less in proportion to the aggregate of liabilities dependent upon it, a decided and sharp rise in the rate of interest has been an efficient instrument in staving off crises. Whether, with a really adequate reserve, it will prove to be equal to the task of averting them altogether, and of making the process of recovery as gradual as that of inflation, distributing the losses like the profits with tolerable fairness over the community, instead of descending like an avalanche upon the unfortunates who happen at a particular moment to be exposed, — this is the problem to be settled by the experiments of the future.

We are well aware that we shall have to encounter the inevitable *cui bono*. What practical lessons for us are to be drawn from all this? First and foremost among these is the

necessity of continuous administration. The discussion which commenced with the Bullion Committee of 1810 was continued through the resumption in 1821, the crisis of 1825, and that of 1837, narrowing all the time closer and closer upon definite points, until under the firm leadership of Sir Robert Peel it culminated in the Act of 1844. Since then the operation of that Act has been keenly watched, and the debates getting steadily nearer to the real issue. Such ideas as Mr. Bagehot's book advances would have been laughed at in 1844. But now there has been a report, which if not true shows the state of the public mind, that Mr. Gladstone intended, if his administration had continued, to take up the subject of the joint-stock banks and their reserves. What, on the other hand, is the state of things with us? There are nearly as many schemes for resuming specie payments as there are members of Congress. None of them are thoroughly based upon the experience of the past, it being the fashion to say that the laws of currency which are established in Europe do not apply here. None of them propose any definite end to be attained, confining themselves to the general question of contraction as an instrument. Not one of them has the slightest chance of having a fair trial, because the decision on this point rests with the Committee of Ways and Means and that on Banking, who, so far as they are not under private influence, and as they are not responsible for the working of whatever measures are passed, seem to be waiting for public opinion; as if the public knew anything about the matter! The managers of the Coast Survey might as well ask the public to direct their operations. As to the force of public opinion, we heartily subscribe to the following words of the *London Spectator:* "Popular electoral government has the power, without calling out troops or using menaces, to rush over the strongest single class in the nation, and to do this sometimes, as in the Corn Law case, when that class is backed by allies controlling nearly half the kingdom." But just as the expansive force of steam is utterly useless unless applied through a piston-rod, so public opinion is an empty name unless wielded by definite leaders. The public opinion of the nation as a whole has no voice in Congress. The Secretary of the Treasury is the nominally re-

sponsible financial officer of the government, and it is just because with that responsibility he has no real power that we see that office, with the increasing difficulty of the finances, falling into constantly weaker hands. We believe that the first step towards specie payments will be to place the Secretary of the Treasury in Congress, and call upon him for a comprehensive and detailed plan for the management of the finances in all the parts; and to expose this plan to the crucial test of thorough debate, with such sweeping away of weak and ignorant men, and vigorous projection of strong and skilful ones, as would certainly follow. The man who could ultimately hold the place would have to know all that there is to be known as to the past history or present effects of currency, and to be able so to apply his knowledge, and to foresee the consequences of his plans, as to be ready to encounter the most searching criticism. And when the public became convinced that the man had appeared, which they would be, not from any understanding of his plans, but from his bearing in the conflict, and from the rallying around him of other most trusted public men, they would lend him a force which would make our last quotation a practical reality.

There can be little doubt that the most powerful obstacle to specie payments will be found in the national banks. These institutions have upwards of nine hundred millions of loans, and contraction to a specie basis would reduce the value of these, at a low estimate, by twenty per cent on the average. They naturally do not regard a process like this with much favor, and it is notorious that no legislation has a chance in Congress which threatens seriously the interests of the banks. They are under so little control that Congress cannot even force them to incur the slight expense of keeping their currency in decent condition, notwithstanding that the government is ready to furnish new notes without extra charge. The Comptroller of the Currency presents about the figure of a six-years-old child driving a runaway horse. It will need the whole power of a national champion, backed by the concentrated force of public opinion, to induce these institutions to set their houses in order.

GAMALIEL BRADFORD.

Art. V. — An Episode in Municipal Government.

I. THE RING.

Within the last eight years there have from time to time appeared in the pages of this Review a series of articles, which have attracted an unusual degree of public attention, and which there is some reason to believe will be found hereafter to possess a more than ordinary historical value. The first of these articles appeared in the "North American" for October, 1866, and described the government of the city of New York as it then existed. Next, in the July number for 1867, was a paper on "The New York City Judiciary." In July, 1869, and in April, 1871, the proceedings of the band of robbers who had secured temporary possession of the Erie Railway were described in detail; and in the issue last referred to there was also a paper relating to the course of certain members of the New York bar in these latter transactions. Disconnected with each other, prepared by different hands wholly without consultation, these several papers all related to different phases of one and the same subject-matter. Nor was the interest excited by them in any respect matter of surprise; for of the many interesting problems, social, political, and financial, which now engage the attention of thoughtful Americans, none are more interesting than those which arise out of our attempt to rule large cities through a government republican in form, and out of the tendency of great corporate powers to become weapons of pillage in the hands of unscrupulous men. All roads lead to Rome, and these two different phases of social evolution in America result in the same thing; whether emanating from Wall Street or from Tammany Hall, whether directed at the City Hall or at the management of the Erie Railway, whether seeking a fulcrum in the corner groceries and engine-rooms of the Bowery or in the brokers' offices of Broad Street, whether directing a proletariat or effecting a "corner," — the end in view is always the control of some corporate power, municipal or commercial, by certain conspirators whose object is plunder. In the slang of the day, these men constitute the "rings"

which play so large a part in our financial and political operations. The New York City government Ring has undoubtedly been the most famous of these combinations, for it welded together the ignorant and corrupt voting masses of the largest city of the New World into a tremendous engine for political burglary; and yet it is a fact worthy of remark, that as recently as 1866, when the article on the New York City government appeared in this Review, the author of that paper made no allusion whatever to the existence of any thoroughly organized ring in municipal politics, nor is there any reason to suppose that such a one was then in existence. The material was ready, the men were ready, — the moment had not yet come. It came at last, however, and resulted in what there is good reason to suppose will long be regarded as one of the most dramatic episodes in modern history.

Most of the men who played the prominent parts in this drama were, it is true, very low, coarse, brutal beings; but the stage upon which they performed was a prominent one, and their operations were upon a sufficiently large scale. In this, and in one or more succeeding articles, it is proposed to review the characters of those who composed the gang, some of the proceedings of their reign, and the incidents of their downfall. In their day these subjects were sufficiently discussed, but they have yet to take their place in history, and that place will be a prominent one.

Meanwhile little remains to be said preliminary to the introduction upon the scene of those who made up the famous Ring government. The social and political conditions which rendered their rule possible have already been sufficiently described in the articles in this Review already referred to. It would be little better than tedious iteration to again go over that ground, describing the various steps through which the government, the bench, the bar, and the exchange of New York City gradually became what Tweed, Sweeny, Hall, and Connolly found them in 1868. These men constituted the "Ring"; and through thirty years events seemed to have conspired to bring them together, and to happily adjust them to each other and to surrounding circumstances. They were, indeed, the ripe, consummate flower of New York City politics. Not that in

most respects they bore any strong degree of resemblance one to another, — on the contrary, they were curiously dissimilar, differing not less in social standing than in education and in ability. In fact, the one sole link which ultimately bound them together seems to have been self-interest of the most sordid kind, as it was their common pursuit of politics in the same city which originally brought them in contact. Each needed the others' help in his schemes of ambition or profit, but all were ready to abandon or sacrifice their associates whenever circumstances seemed to render such a course expedient.

The oldest and chief of the four stands out before the rest in Falstaffian proportions. William Marcy Tweed was born in 1823 in the city of New York, at No. 24 Cherry Street. This locality, now notorious for its dance-houses, "bucket-shops," and sailor boarding-houses, with a criminal record second to no other in New York, was then occupied by the dwellings of the most respectable and well-to-do citizens. The Tweed family were essentially of this class, — plain, respectable people. The father was of Scotch blood, but born in New York, where he worked at his trade of chair-making until he had saved sufficient capital to set up as a manufacturer on his own account. He afterwards became a partner in a brush-making firm, and retired from business with a competence. He was a "clever, decent old gentleman," in the phrase of a neighbor, against whose good name no word of reproach was spoken. His wife, who was born on Long Island, possessed uncommon energy and independence, and was an excellent housekeeper. Her son William apparently inherited more of her characteristics than of those of his father. He was always her favorite, and it would seem was somewhat a spoilt child. Educational opportunities were limited in those days. William and his brother Richard were put to work in their father's shop at an early age, and it was not until the former was well grown that he received any schooling. He proved but a bungling apprentice. He lacked mechanical skill, and handled his tools clumsily, "to the damage both of his work and his fingers." Yet he seems to have shown some capacity, for a saddlery and hardware dealer obtained his release from his father and made

him a clerk and salesman. After a year of this work William became ambitious to be a book-keeper, and, feeling his own ignorance, he went to a private academy at Elizabeth, N. J., kept by a clergyman. Here he became a fair penman and a ready reckoner. In after years he was always remarkable for quickness at figures and for the ease with which he could mentally go through complicated calculations.

Returning to business, William served as a tobacconist's clerk for two years. When at the age of sixteen, he was engaged as salesman by D. Berrian & Co., brush-makers, the firm in which his father was a partner. The latter in time retired, leaving his interest to his son, who became junior partner. He remained in this business for several years, and at the age of twenty-eight he and his brother Richard started on their own account as chair manufacturers. Old Mr. Tweed aided them liberally with his credit, and their prospects looked bright; yet, though the new firm did a large trade, they finally became bankrupt, with a deficit of $200,000. The aged father was involved in their ruin. He had become security for his sons to an unlimited extent, and all accounts agree that they abused his confidence. The provision which he had laboriously accumulated for his declining years was exhausted in paying the firm's debts, and old Mr. Tweed, to earn a living, was forced to resume in a small way the occupation of chair-making. The shock of this calamity broke his heart, and it was not long before he fell dead in a fit of apoplexy in his own house. He had never forgiven his sons for their conduct, and was alienated from both of them at the time of his death. It had been the old story with the young firm, and their bankruptcy was due to neglect of their regular business and to a haste to get rich rapidly through speculation in stocks. Richard gambled, also, while William devoted altogether too much time to matters which had little connection with either the making or selling of chairs. His attention was, in fact, already mainly taken up with firemens' affairs and ward politics. He first joined a hose company, and later took part in the organization of "Americus" engine No. 6, afterwards known as "Big Six," of which he ultimately became foreman.

The New York fire department at that date was a volunteer

organization, and played a very important part in city politics. A large portion of the force were respectable men, some of whom had joined it from a sense of duty, while others sought in this way to escape militia and jury service. They were all men in good physical condition, and among them were many companionable fellows, who made their business and social meetings very enjoyable. In fact, the engine-houses were in many cases a kind of club-room, where the members spent their leisure hours, and found abundant amusement, if not always of the most improving description. Added to this was the excitement of running to fires, combined with the rivalry between different companies, which led to bitter feuds and frequent fights. Lastly there were the holiday parades, target excursions, and the reception of firemen visitors from other cities. The latter were treated with a lavish hospitality, and no expense was spared in their entertainment. This school of experience produced a peculiar and now well understood type of character, of which Mr. Chanfrau's creation "Mose" may be accepted as an exemplar. Generosity, clannishness, reckless courage, improvidence, love of excitement, and the use of a most ingeniously complicated slang distinguished the class, who were the outgrowth of the times, but who are now a tradition.

Tweed was well fitted to be a popular foreman. His growing corpulency unfitted him for physical activity, but he was full of mental energy. "Big Six" company was made up of two divisions, respectively known in firemen's vernacular as "Quills" and "Roughs." The former included all the respectable members, who were mostly clerks; hence their nickname. These were in the minority to the "Roughs," who, instigated by Tweed, constantly indulged in disorderly conduct, in spite of the opposition of the "Quills." On one occasion Tweed was summoned before the Fire Commissioners for throwing obstructions in the way of a rival engine so that it should not reach a fire before his own, and he barely escaped removal. Under his leadership the "Americus" became notorious throughout the city, and its foreman, who was always known as "Big Six," was looked up to with admiration by the entire "b'hoy" element. He himself yielded readily enough

to the moulding influences of the life, and acquired certain peculiarities which he always afterwards retained, — such as a swaggering gait, free-and-easy manners, the constant use of slang, and the display of a coarse humor greatly in vogue among his firemen associates. At this time he was a tall overgrown man, full of animal spirits. He talked much and with a spluttering volubility that made it hard to understand him. He was fond of display, and liked to be foremost. He had a genius for making friends, but he always preferred the society of his inferiors. What he lacked in courage he made up in bluster, though he yielded before courageous opposition. He was loyal to his friends, and had the reputation of helping every one when he could. He at one period was a deep drinker, but by the positive order of his physician he had stopped his excesses in this respect, and with fatherly interest advised young men of his acquaintance to be temperate and virtuous. Nevertheless, with too common inconsistency, he was notorious, even from his youth, for licentious excesses, which were a scandal to the neighborhood in which he dwelt, and which grew upon him in after years.

It was not until after his failure in business that Tweed's ambition turned toward political advancement. The shortest road to this goal lay through his connection with the fire department, and to the development of that he bent all his energies. The tide of emigration had at this time just begun to set strongly from Europe to the United States, and with the consequent growth of New York and the rapid influx of Irish and Germans into the lower wards of the city, the well-to-do residents began to move up town. The change soon caused a transfer of political power in Tweed's district from the respectable and honorable men who had previously held office, to the adventurous city demagogues of that peculiar half-foreign, half-American type, with which New York has since been so sadly familiar, and among whom Tweed was from the first prominent. He now abandoned all thought of business, and turned his attention wholly to politics, as a means of livelihood. His first advancement to any political office was his election as Alderman in 1850, after being defeated as a candidate for Assistant Alderman in 1844. Among his associates

in the Board were a few men of some mark, of whom Daniel F. Tiemann, afterwards Mayor, was one; but the bulk of the Common Council were so notoriously corrupt that from their number they received the *sobriquet* of the "Forty Thieves," and certainly their acts justified the name. A richer crop of frauds and jobs, among which ferry leases, street improvements, and gas contracts were most abundant and lucrative, had never before sprung from that prolific soil. Tweed showed a native aptitude for his new vocation; at first, and for a short time, he simply co-operated in the schemes of plunder, but it was not long before he took the lead and held it. He always made a great display of his knowledge of parliamentary law, and was continually raising points of order at the meetings of the Board; but he also served on several committees, and, like a true politician, almost every measure which he introduced was calculated either to oblige old friends or to make new ones. They all "had money in 'em." Now it was an act to supply or repair public offices, to pave the streets, or to raise salaries. Again, the markets needed repairing, or money was voted to place street lamps in front of churches, to liquidate extra election bills, or to supply music in the public parks. He presented innumerable petitions praying for personal relief from the city treasury: a laborer had been hurt on the public works; or extra pay was to be allowed David J. Valentine for his services upon that veteran job, the Corporation Manual; or the veterans of the Mexican war were to be assisted. The interests of the firemen of course received his special attention, and through his instrumentality a new engine-house was voted to that "Big Six," which he loved so well and which had helped him so much. At the Henry Clay obsequies, in 1852, Tweed was chairman of the committee appointed by the Common Council to draft resolutions of respect, and on presenting these he made one of the few set speeches of his career, which has fortunately been preserved in full for the benefit of posterity. It is a somewhat singular effort, abounding in high-flown rhetoric and extravagant eulogy of the deceased statesman, mixed with egotistical references to the speaker himself, who more than intimated that the vacancy they were then called upon to deplore could be easily filled by

himself or by one of his associates. This appropriate climax to Tweed's Aldermanic career was, after the fashion of New York City politics, followed by an anti-climax thoroughly characteristic and ludicrous. The entire Common Council was arrested and imprisoned for contempt of court in granting to certain parties a charter to lay down a street railway in Broadway in flagrant disregard of an injunction restraining them from so doing. Judge Duer, who upon this occasion represented the outraged majesty of the law, sentenced Alderman Sturtevant, who framed and moved the resolution granting the charter, to fifteen days' imprisonment and a fine of $250, while two other Aldermen and ten Assistant Aldermen were mulcted in similar penalties, though they escaped the durance vile.

Tweed's experience in the Common Council had now whetted his appetite for public office. While Alderman he had considerably bettered his damaged fortunes, so that, on retiring to private life, he possessed the means of gratifying his new ambition. This now turned towards Washington. He accordingly sought and obtained a Congressional nomination, and was duly elected, partly through the aid of the negro vote. Though he took some share in the business of the House of Representatives, he naturally failed to make any mark in it; in fact, he was almost as much out of his element as was Mr. John Morrissey a few years later, and he soon came to the wise conclusion that Washington was no place for him. He took no part in the debates, excepting on one occasion, when he made a short and incoherent speech in favor of the Kansas and Nebraska bill, then the subject of heated discussion in Congress. He afterwards prepared an elaborate effort on the same topic, which fills several columns of the "Globe," though it was certainly never delivered, if indeed it was ever written by him. It was, like so many similar productions, intended simply for home consumption. Copies of it, in pamphlet form, were accordingly widely distributed among his constituents, and such of them as could read were doubtless duly impressed thereby with the eminent public services of their representative.

If common report is to be believed, Tweed more than occa-

sionally sought relief from the cares of public life in the somewhat coarse dissipations of Washington, and even allowed himself to be fleeced by sharpers. He thus in due time came back to New York, and the more congenial associations of "Big Six," a species of prodigal son, — almost penniless, and thoroughly disgusted with life at the national capital. His fortunes did not revive rapidly. His Congressional career had not advanced his reputation, and he now lacked that prime element of political power in New York, — money. All that the great dispenser of future city patronage, the embryotic Commissioner of Public Works, had at this time to depend on were such stray jobs as he could pick up, and he found it not always an easy task to keep the sheriff from his door. His buoyant spirits, however, prevented him from despairing, while a few stanch friends, who still believed in him and his fortunes, helped him along. In 1857 he again got into office; this time in the educational department, — becoming a Public-school Commissioner. In this sphere of usefulness the record naturally shows that he was very active in proposing to vote money away to pay for school sites, to make repairs, and to supply furniture; in which liberality of expenditure he doubtless found his own account. But with money came promotion. In November of this year Tweed was chosen a member of the Board of Supervisors; but of the six candidates elected he received the least number of votes even in his own district, which does not seem to imply any great degree of personal popularity. At this election, too, other notabilities of the future put in an appearance; for George G. Barnard was chosen Recorder, and Peter B. Sweeny District Attorney. Though the Board of Supervisors had been created in 1846, and its principal functions were "to settle, examine, and allow all accounts chargeable against the city and county," these duties had always been performed, except in special cases, by the Mayor, Recorder, and Aldermen. Up to the time of Tweed's election, the position of Supervisor had been, therefore, of small importance. By a special statute of the Legislature, however, passed in 1857, the Mayor and Recorder ceased to be members of the Board. The power of the twelve Supervisors proper was greatly enlarged by this change, which gave

them ample facilities for the manipulation of every variety of profitable job with little danger of detection. This was a city politician's paradise, and among the well-known names of Tweed's associates, few, indeed, call up any lofty ideal of scrupulous integrity. In spite of the complaints of the press, and the attempts at interference by Mayor Opdyke, many measures of a most doubtful character were carried through the Board. Tweed was its ruling spirit, and was four times elected its President. From this period he began to be a power in New York politics. Heretofore his influence and reputation had both been local, and outside of his district he had hardly been known at all. Now his sphere of action embraced the whole city, and his large figure began to loom up in portentous magnitude through the foul miasma of municipal politics.

Leaving here the great central figure of the drama, it is now proper to sketch the previous career of the lesser performers — Sweeny, Hall, and Connolly — with whom Tweed at this point in his career began to affiliate, and with whom he naturally and speedily formed a close alliance.

Peter B. Sweeny, by studiously keeping aloof from the vulgar crowd, and employing secret methods to accomplish his ends, succeeded in throwing a mysterious glamour around his name, by means of which he created an exaggerated impression of his abilities. He essayed the "grand, gloomy, and peculiar" *rôle* on the political stage. New York politics have long developed a peculiar type of men who wielded vast authority without assuming official honors, and who loved to be obscure while swaying the destinies of parties. Dean Richmond, Thurlow Weed, and Peter B. Sweeny, though very different in other respects, all exhibited this trait of character, nor did the type originate with them. The last of these three was the successor of Dean Richmond and the pupil of Weed; he surpassed both for a brief space in the extent of his influence, though he equalled neither as a political manager.

He was born in New York about 1824, of Irish parentage. The Sweeny family were of low degree, though some of them had been Catholic priests. It is reported that the mother of the future Tammany "Squire" kept a liquor store

in the Sixth Ward, and attended to the wants of customers while nursing her infant. However this may have been, it is a fact that Sweeny's father had a cheap tavern in the outskirts of Jersey City, much frequented by Irish visitors from New York, and where young Sweeny when a boy acted as waiter. The family connections, including Sweeny's uncle and his future brother-in-law, were largely in the livery business. He was early sent to St. Peter's Roman Catholic parochial school in Barclay Street, and subsequently, it is said, to Columbia College. He chose the law for his profession, and entered the office of James T. Brady, where he proved himself a close student. His talents caused him to be respected, but, owing to a morose disposition, he was not generally popular. Though he nominally entered on the practice of his profession, he gave his most earnest attention to the political advancement of his uncle, Thomas J. Barr, and when, in 1854, the latter was elected State Senator he took young Sweeny with him to Albany, where he became a lobbyist. In this capacity he acted as the agent of some of the principal New York stage companies, opposing on their behalf the chartering of any street railways detrimental to their interests. He remained in Albany during the sessions of the Legislature, and pursued his profession during the adjournments, thus dividing his time about equally between the lobby and the law. A master in the art of persuasion, he soon became influential as a wire-puller and negotiator. By his forethought and sagacity he made himself useful to that large class of men who are unable to originate schemes themselves, though abundantly capable of carrying out the plans of others. Tweed was essentially one of this class, and Sweeny was soon brought into close relations with him, ultimately becoming his adviser and ally. He derived no small advantage from the fact that he had been a student in the law office of James T. Brady; for the name of Brady had a potent charm with the Irish, so much so that a Republican candidate was once elected by Democratic votes merely because he bore it. In 1858 Sweeny was chosen District Attorney, but on the trial of his first case he broke down from lack of self-possession, and presently resigned. The only other offices which he held were those of City Chamberlain and Central Park Commissioner,

neither of which brought him into great public prominence; but in the former capacity he acquired a useful though fictitious reputation by ostentatiously accounting for the interest on such public funds as were temporarily accumulated in his hands, — a practice which had apparently not been in vogue with his predecessors.

His relations to the Ring he himself described as follows: "I am not, and never claimed to be, a leader. Tweed . . . . Mayor Hall, Comptroller Connolly, and others I might name, are more leaders than I am. I am a sort of adviser; I try to harmonize the interests of the party, and endeavor to secure good nominations and sound principles, as I understand them. But I do not aspire to the position of a leader. I am simply a passenger in the ship, with the privilege of going ashore if I do not like its management or its course." But none the less in Sweeny's case, as in that of Paul Jones in Cooper's tale of the "Pilot," the "passenger" was supreme. No one knew this better than Sweeny himself, though for policy's sake he spread abroad a different impression.

Sweeny was well read in law, history, and political science. He was familiar with general literature, and, though not a man of culture, he had a taste for fine engravings and other works of art. As a writer he was effective, though ungraceful; better at suggesting ideas to others than at formulating them himself. In private he could talk forcibly and freely, but in public he was taciturn and even forbidding; he was, indeed, wholly devoid of popular traits. Few persons liked him, nor had he any body-guard of admirers such as always clustered about Tweed. Neither had he any direct influence on men in masses, though he controlled caucuses unseen, and from the committee-room guided conventions. He had a remarkable faculty for estimating the local strength of any politician, and this enabled him accurately to weigh and balance opposing forces in a canvass. He showed uncommon skill in settling disputes and effecting compromises, always conceding anything to silence dangerous opposition or to gain over the disaffected, though at heart he was a good hater, and his uncompromising enmities were a prime cause of the ruin of the Ring. He was scrupulous about keeping his word, nor did he practise petty

trickery like Connolly; at least, if he did, he was careful not to criminate himself, and was skilful in the use of others as cat's-paws to attain his end. He became very wealthy, and a part of his property was undoubtedly acquired by real-estate speculations, based upon his knowledge of proposed improvements; yet there can be little doubt, as will be fully demonstrated hereafter, that Sweeny also received a share of the sums stolen by the Ring, though he was sufficiently sagacious to conceal the legal proofs of his complicity in those colossal thefts.

His personal appearance was not prepossessing. He had a stunted figure, heavy sinister features, a low forehead, coarse black hair and mustache, and deep, penetrating eyes; a type of face common enough in the West of Ireland, near Galway, where the Celtic and Iberian stocks are mixed, and where Sweeny's ancestors belonged. He lived without ostentation, but handsomely, and, although naturally a gross eater, as he suffered from chronic dyspepsia his habits were necessarily abstemious. He shrank from publicity, and sought side streets rather than the thoroughfares. In fine, he was a man of vigorous but sullen nature, always absorbed in plotting mischief, and in his passion for power swaying the actions of those whom he disliked, and who in turn felt an aversion for him. He greatly admired Napoleon the Third, with whom he was slightly acquainted, and whom he resembled in his vast ambition, his propensity to plot, and his incapacity to meet great emergencies when they suddenly presented themselves. Both were of short stature and contemplative by nature. Each sought to gain his ends by employing unscrupulous instruments, and both were ruined by the very men whom they had virtually created.

Next in prominence to Sweeny, stands A. Oakey Hall, — "O. K.," as the wretched punster loved to sign himself, even to official papers. The life of this individual presents strange vicissitudes. During his checkered career he has played the part of lawyer, *littérateur*, journalist, politician, dramatist, lecturer, and office-holder, each with unfailing readiness, and even with a certain degree of success. A native of New York, Hall was of a good family, claiming descent from one of Cromwell's

colonels. At college he was described as "a sharp, black-headed young man, quick, ready, and always in the foreground." He certainly showed versatility enough, for after graduating from the New York University, where he was proficient in the classics, he entered the Harvard Law School for a time, but subsequently went to New Orleans and became a newspaper reporter. Soon afterwards he entered the law office of Mr. Slidell, of "Trent" fame. He remained there some time, and then, returning to New York, tried his hand at authorship, but soon wearied of that, and turned toward politics as promising richer rewards than anything he had yet undertaken. About 1854 Hall appeared in the lobby of the Assembly at Albany almost at the same time with Sweeny, and began practice as a member of the third house. He was a Republican, while Sweeny was a Democrat, and as the latter was most interested in looking after the interests of his patrons, the stage proprietors, Hall was instrumental in drafting the Police Bill, which was the precursor of almost all of the large and noxious brood of metropolitan Commissions. Sweeny was the more sagacious of the two, but Hall excelled him in audacity and in practical skill at devising ways and means.

Hall was appointed Assistant District Attorney by Nathaniel B. Blunt, and upon the death of the latter became acting District Attorney. To his credit it should be said that he performed Mr. Blunt's duties, and gave the salary of the office to his widow, while he also undertook the charge of educating his benefactor's children. In 1862 he was regularly elected District Attorney, through a combination of Republicans with the "Mozart Hall" wing of the Democracy. His opponent, Chauncey Shaffer, was a "Know-Nothing," and owing to this fact Hall succeeded, though a Republican, in carrying the Sixth Ward, — an unprecedented performance. As a lawyer, Hall was shrewd, ingenious, and full of devices, but fond of theatrical display, and but a shallow reasoner. The most famous case in which he was ever officially concerned was the trial of Mrs. Cunningham for the murder of Dr. Burdell, in Bond Street, — a case which at the time created a great sensation, and in which Mr. District Attorney Hall made himself rather absurdly prominent.

The office of District Attorney is one of importance and honor. Charles O'Connor and several other leading lawyers have performed its duties. Hall was familiar with the routine of business, and had many advantages for filling the position, in which he made many friends, who afterwards became serviceable to him. It was customary at that time, whenever a police-officer was needed by the District Attorney, to send a requisition to the nearest station in the Sixth Ward. Matthew T. Brennan, afterwards sheriff, was then captain there, while Joseph Dowling, afterwards police justice, and John Clancy, editor of the "Leader," were patrolmen. With these men Hall became intimate. He also enlarged his circle of acquaintance in other directions, as his official position from time to time gave him special opportunities for making himself influential. He himself, in one of his punning remarks, revealed the secret of his political power. "Few persons," he said, "have so many *tried* friends as I have, and tried friends are always magnanimous." An unscrupulous medical practitioner may easily obtain a certain degree of mastery over his patients; but the criminal administrator who knows the history of thousands of men's misdeeds wields a far more terrible power. Whether Hall took improper advantage of this ascendency cannot be proved. By common report, it had been the practice of his predecessors in office to do so, and it has been publicly charged that under Hall's administration no less than ten thousand indictments against various persons were "pigeon-holed," while they were allowed to go at large. This, however, was mere assertion, though widely believed at the time, and it was evidently extravagant, as during the fifteen years, up to 1874, the total number of indictments filed did not much exceed nineteen thousand. On the other hand, Hall himself, with characteristic boldness, said, in a public speech in 1868, that there were ten thousand indictments against liquor-dealers on file at the District Attorney's office under the Excise law which he did not mean to try. It seems not unreasonable to suppose that if one class of indictments was withheld, others may have been. While acting as District Attorney, Hall was also a member of the law firm of Brown, Hall, & Vanderpool, who through his exertions were made official attorneys of the Board of Police. Their fees in

this capacity were commonly supposed to have been large, but by special arrangement they at first amounted to only $5,000 per annum, and afterwards to $7,000. The connection, however, naturally led to reputation and outside practice. The firm were also counsel to the Sheriff, which brought them in heavy fees, while they afterwards gained much additional practice through the influence of the Ring. Thus, even before Hall became Mayor, he had already amassed what, for a man of his Bohemian character, was a handsome property.

While Hall's position caused him to be feared, his personal qualities made him popular. By birth and breeding he was a gentleman, and he had also cultivated to a high degree the social arts and graces, so that he was a lively and agreeable talker, with excellent address, and a faculty for adapting himself to any company. His ambition was twofold, — he craved literary and social success. He once said that he would rather be editor of a great paper like the "Herald" than Governor of New York, or even President of the United States; but as a writer he was only clever, sprightly, by his own account "diffuse," with a leaning toward *persiflage* and puns. His first literary efforts were stories and book reviews in "Harper's Magazine," which were well received at the time, though now forgotten. He published two volumes, one of light sketches, and the other a Christmas story, in which a lobbyist appears as a leading character. He afterwards became dramatic critic, and finally literary editor, of the "Leader," a weekly journal, which was at once the organ of the reigning political dynasty in New York, and also a vehicle for publishing the effusions of the so-called Bohemian circle, which comprised many rather brilliant young writers, some of whom have since enjoyed an ephemeral popularity and even fame. At first Hall was only a *feuilleton* writer, and contributed sprightly criticisms under the signature of O'Halloran. Eventually, however, he took a larger share in the management of the paper, and at length became sole editor. At the same time, through his social connections, he became intimate with James Gordon Bennett, Jr., and began to write for the "Herald."

One is tempted to sum up Hall's character in the terse term of "joking cheat," applied to him by Horace Greeley, in one of

his scornful moods. Bacon, in his essay on "Advancement in Life," quotes the Italian proverb that in order to be successful a man should be a little of a fool. Hall is a proof of the soundness of this saying. His buffoonery and cheap wit have helped him hide his inner and more serious nature. Under the mask of a vivacious and inoffensive Bohemian he concealed a soaring ambition. Like Macaulay's *bête noire* Barrère, Hall was a clever writer and speaker, with a tendency to bombast. The relations of each to his associates were similar. They were both adroit and useful tools, if directed by stronger minds. Barrère was managed by Robespierre and Danton, and Hall by Tweed and Sweeny, while both were skilful enough to evade the ruin which befell their masters.

Very different in all respects from the "smart" and versatile American Hall, was the Irish Connolly, his next immediate associate. Richard B. Connolly was born at Banta, near Cork, and was the son of an Irish schoolmaster noted for his superior address and for his luck in marrying an heiress. By a strange coincidence the family crest is a mailed hand holding an annulet or Ring, with the pious motto "En Dieu est tout." His father gave him a fair education, but he emigrated early, and while yet a youth came to Philadelphia, where he was taken into an auctioneer's office. From Philadelphia he removed to New York, and after acting some time as clerk with a prominent auctioneer, he obtained an appointment in the Custom-House during the collectorship of Jesse Hoyt. This he retained for some years, and until he became discount clerk in the Bank of North America, of which Mayor Havemeyer was president. In all these situations he showed skill as an accountant, and performed his duties creditably. His manners were good, though somewhat elaborate, with a decided tinge of obsequiousness toward his superiors and arrogance to his inferiors. His professions were early distrusted, and he was nicknamed "Slippery Dick," a *sobriquet* which clung to him. It was not long after removing to New York that Connolly took up his residence in the Seventh Ward, and with true Irish proclivity began to dabble in politics. By currying favor with the Catholics he obtained their support, and through them gradually gained some local influence. Finally his ambition

was gratified by being made secretary of the ward committees; but, though his neat penmanship was admired, he could not be trusted even to count votes after a ballot. In 1851 Connolly was chosen County Clerk by a small majority, and three years later he was re-elected. It is a curious fact that up to the date of his re-election he had never been naturalized. This was the case with many other aliens whose fathers had become citizens, and who supposed that by the same act they also were naturalized. The way in which the fact was elicited in Connolly's case affords a curious and somewhat vivid little picture of men and manners at a New York City election precinct. One Stephen H. Branch, the George Francis Train of that time, and a bitter personal and political enemy of Connolly's, had driven him into a false statement that he was a citizen, and then took advantage of an election day to try and force him, through a challenge at the polls, to produce his papers. The polls in Connolly's district were held in a tailor's shop, where the redoubtable Branch waited till sundown, having his meals brought to him and eating them from the tailor's bench, so as to be ready to challenge his alien adversary should he dare appear. With Connolly, however, then, as ever, discretion was the better part of valor. He made no attempt to exercise the sacred right of suffrage that day, and shortly after took out his naturalization papers. He had no capacity either as a speaker or writer; neither was he a leader or an organizer: he was only fitted to be an accountant. In November, 1859, he was elected State Senator, and served two years. Finding politics, however, not sufficiently lucrative, he retired to private life and entered the Central National Bank as cashier and general manager, with an annual salary of ten thousand dollars. But in the mean time he had become prominent in the Tammany Society, and in 1868 he was chosen Comptroller, partly on account of his financial ability, but more from his political strength.

Connolly had few redeeming traits. He was cold, crafty, and cowardly, with a smooth, oily, insinuating manner. He had not an honest instinct in his nature. He lacked courage to carry through great frauds, but he was ready enough to follow the lead of bolder rogues. He was an uncertain friend

and a treacherous ally. No man gave more promises or broke them with less compunction. His strong affection for his wife and children seems to have been his sole redeeming trait, and with this exception his inner portrait is all shadow.

Such were the four men into whose hands the entire government of New York City was to pass in 1869, — the leaders of its proletariat, the component parts of its powerful municipal Ring. In the whole series of portraits it is wonderful how few features there are to attract, — how very, very little that was redeeming about them the rascals had. To sum them all up, we find in Tweed a political adventurer, with some ability, but of a gross, sordid nature; possessing remarkable popular traits combined with an energy which could be daunted neither by political hazard nor financial failure; a man who, himself corrupt by nature, assumed that all other men were equally corrupt. As compared to Tweed, Connolly seems a contemptible sneak-thief beside a resolute burglar. The latter was supple, oily, and Pecksniffian, but keen-witted, and always with an eye to personal advantage. Sweeny appears as the saturnine, spider-like miser of power; hating notoriety, and delighting to weave his toils in the dark; having implacable animosities, yet with self-control and tact to conciliate his worst foe, when by so doing he could effect an object. Lastly, Hall stands out with smirk and eye-glass, the harlequin trickster of the gang; careless of money, but with a craving for applause; loving social distinction, and yet descending to the lowest arts of the demagogue; a most versatile mountebank, doing many foolish acts, interspersed with a few wise ones, — at once an adroit political manager and a wretched punster; playing the opposite parts of fool and knave so skilfully that it is hard to tell which was nature and which was art.

But little has yet been said of the private morals of these men, but the lesson of their public deeds would be incomplete without some reference to them. Tweed was a monster of licentiousness, and his acts were as outrageously defiant as they were notorious. Hall's inner life will hardly bear close scrutiny. Connolly left Philadelphia owing to a low intrigue with a market-woman. Sweeny, though he was moderate in his appetites, kept as his mistress for years a former attendant in

a Turkish bath. The lesser members of the Ring imitated the private vices of their leaders as they copied their public crimes. Their inner lives were rotten to the core. In this respect they may best and most briefly be disposed of in the words of one who knew them well, "They were no better than beasts."

Besides the four who have now been described, other and hardly less notable men were included in the Ring. These, however, by themselves would have failed to accomplish the results arrived at under bolder leaders. It was by a process of natural selection that Tweed, Sweeny, Hall, and Connolly came together and took command. Already, when this happened, they had had frequent dealings together, sometimes of a friendly nature and sometimes not; to use the coarse but expressive fireman's metaphor, which would have sprung naturally to Tweed's lips, "Sometimes they bunked together, and sometimes they bucked together." They soon, however, became firmly leagued in the pursuit of the same brilliant prize, — the control of the municipal government and patronage of New York. Previously they had been operating on parallel lines; ultimately they formed a Ring, which possessed far greater strength and expansiveness.

It remains to describe the circumstances which brought them together, and the means through which they gained power. Under a different state of affairs it is possible that not one of the four would have come prominently before the world; but the times were ripe, and they were prompt to take advantage of them. The deterioration in the New York municipal government now dates back over fifty years, and is due to two causes, — the theoretic tinkering of political doctrinaires on the one hand, and the influx of an overwhelming flood of emigration, both vicious and ignorant, on the other. These topics have, however, heretofore been sufficiently dwelt upon in the pages of this Review,* and it is now only proposed to briefly recapitulate certain of the more immediate and superficial aspects of that social condition which rendered possible the supremacy of the Ring.

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* No. CCXIII., October, 1866, pp. 413–465.

First and most prominent among these was the foreign element in the caucus and at the polls, — the proletariat of the city. Multitudes of the Irish and Germans who landed at New York remained there. These new-comers were ignorant, clannish, and easily controlled. Their moral sense had been blunted by ages of degradation, and they were as clay to the potter in the hands of the skilful and unscrupulous city demagogues. These last were quick to make bids for their support. Regardless of consistency, the men who had been prominent in the "Know Nothing" organization, including Tweed, Hall, and James Brooks, were foremost in securing political capital through cajolery of the Irish. In the mean time the better class of people more and more withdrew from active participation in public affairs. The majority were so absorbed in their private matters that they could hardly be induced even to vote, leaving the few honest men who had sufficient public spirit to attend primaries and supervise nominations to be driven to despair by the strength of the corruption they in vain struggled to resist, and the blind apathy of those whose interests they defended. Slowly but surely the direction of municipal affairs fell into the hands of professional politicians who depended upon office-holding for a livelihood, and who ultimately became so numerous that they could control the party machinery, and apportion the spoils of office. Each district had its local leader. This man was invariably a liquor-dealer or a fireman, or was engaged in some other light occupation. He had his gang of followers, mostly of the class familiarly known as "roughs" and loafers, who were ready for any service, such as distributing posters and tickets, packing primaries, walking in torchlight processions, or, if need be, "repeating" when elections were close. They were, in short, a very fair modern substitute for those bands of gladiators which played so prominent a part in the forum of the later Roman republic. For their services these men were rewarded either with direct pay or with a place on the city pay-roll. Scores of sinecure offices had necessarily to be created to make room for them, until the number of dependants on the city treasury became enormous. Their example attracted new recruits, for whom likewise new places had to be found, and thus there by

degrees grew up a loosely organized, yet powerful body, united for a common object, and careless of the means by which it was accomplished. Exactly how many persons were on the city pay-rolls during the supremacy of the Ring cannot be ascertained, but they were numbered by thousands. The Street Department gave employment to many hundreds; the Croton Board, Central Park Commission, and Sheriff had each also an army of retainers. Lastly, the Police Department employed several thousand men, while the Health and Excise Boards each had its list of dependants. Besides this legion in office there was another legion of outsiders, — the "outs" are always more numerous than the "ins." For every occupied place there were at least two or three candidates who were eager to oust their more successful rivals. Like the daughters of the horse-leech, they cried, "Give, give," and it was the utter impossibility of satisfying their rapacity which finally brought about the downfall of the Ring.

Here then was the great city, rich, growing, busy, careless of public affairs, and intent on accumulation and pleasure, — an easy prey for the spoiler. Here also was a voting population in which the vicious, the ignorant, and the destitute were in the majority. Between them and the government were ubiquitous little bands of lawless and desperate men, dependent on the city for support and eager for its plunder. The embryotic conspirators were already here and there throughout the city government, — it only remained for them to unite their forces. To do this effectually they required the absolute control of some one of those great party organizations, — those political engines for which New York has always been peculiar, which, strong in discipline and in tradition, always have and still do rule the city. Acting through this on the corner groceries and their bands of "roughs," and thence directly down to the solid basis of the foreign votes, the secure plundering of the city treasury could be reduced to a certainty. The last step towards the establishment of the Ring lay therefore in the conquest of Tammany Hall; for Tammany Hall was not only one of the oldest political clubs in existence, but it was also the most influential in the city of New York. It deserves and will receive a history of its

own. It was founded a fortnight after Washington's first inauguration, and at a spot within the sound of his inaugural address. It has lasted through three generations, outliving numerous rival associations, and is still full of vitality. During that time it has "controlled the choice of at least one President, fixed the character of several national as well as State administrations, given pseudonymes to half a score of historical party organizations," and may truly be said to have shaped the destiny of the country at more than one decisive moment of its history. Though for the past twenty years it has never controlled an absolute majority of the votes in New York, it has still been master of that city. Its leaders have usually shown great sagacity in forecasting events and in availing themselves of circumstances. Their invariable policy has been to retain power by trafficking for it. Nor have they been at all particular with whom they dealt, whether with factions in their own party or with the common enemy; standing always ready, when no other course was open, to boldly purchase a way to the seat of authority. The charter of Tammany describes it as a charitable institution, and occasionally it has been made a means for helping the needy. It has also in its day experienced scientific aspirations, beginning a collection of objects relating to natural history, which was finally with exquisite propriety bought by P. T. Barnum, and formed the basis of his Museum; unhappily the fossil "war-horses" of Tammany formed no part of it. Its social features were at first most prominent, and its entertainments enjoyed great local celebrity. Politics, however, soon predominated over all other considerations, and Aaron Burr is traditionally held responsible for the change which converted it into a partisan institution. It was looked upon as a counter-weight to the Society of the Cincinnati, of which Burr's rival, Hamilton, was the guiding spirit; but it soon outstripped that short-lived body, and ultimately became the most potent political influence in the always intricate political action of the State and City of New York. The *personnel* of its membership was very high. Carefully avoiding any taint of aristocracy, it was always eminently respectable. It included among its members many of the most substantial citizens and leading

business men of the city. Its "sachems" were persons of property and standing. To be chairman or secretary of one of its meetings was an honor that any citizen felt proud of, and the closest discrimination was observed in the selection of candidates for office, especially in nominations for the Legislature.

It is unnecessary to relate the history of Tammany during the period from 1800 to 1860, or the contests and compromises in which it participated. It suffices to say that the Society retained most of its strength and respectability up to the time when Fernando Wood secured control of it, and, as its nominee, was elected Mayor. It then rapidly declined; the more respectable members resigning, until scarcely a corporal's guard of them remained. At last it fell under the control of local politicians, who, as a means of increasing their influence, admitted many of the most notoriously corrupt Common Councilmen as members of the General Committee. It was at this period that Sweeny and Tweed became prominent in its councils. Sweeny, who had participated in several of the many revolutions which had of late years taken place in the Democratic party, now bent his whole energies towards securing control of Tammany Hall, and his efforts were ultimately crowned with complete success. The constitution of Tammany is peculiar. It has a dual character. The Society is a distinct body from the General Committee, and owns the building known as Tammany Hall, which it leases to the General Committee. The fact that the latter meets at Tammany Hall makes it a "regular" organization, and the General Committee is greatly influenced by the Society; yet a man may be a member of the first body and not of the second. To belong to the Tammany Society has always been a great honor, and the most respectable men in the country are on its rolls; but it is otherwise with the General Committee, which is open to all. The Society is controlled by its sachems, whose will is supreme, and who retain all its property in their hands. There is thus a system of rings, the outermost, representing a constituency of many thousands, being entirely submissive to the innermost, consisting of scarcely a dozen persons. This arrangement was early adopted by the association, as in the first

publication of its laws it is declared, "The constitution of this Society shall consist of two parts, — the external, or public, and the internal, or private. The latter shall ever be subordinate to the former." Just the reverse is the case in practice, and thus the singular anomaly resulted, that a Society which claimed to be the head of the Democracy of the nation furnished in its history a remarkable example of centralization. By a series of rapid tactics Sweeny obtained control first of the General Committee, and then of the Society. The Society was thoroughly leavened by a liberal infusion from the General Committee. The members of the dynasty whose names have since become so terribly familiar were in the majority. A few respectable men, like John T. Hoffman, James T. Brady, Edward Cooper, and John Clancy, still ornamented the list, but as a whole it reads like the Newgate Calendar, and included William M. Tweed, Peter B. Sweeny, Terence Farley, Matthew T. Brennan, "Mike" and Richard B. Connolly, "Captain" Isaiah Rynders, and others of the same stamp. Through their votes, on the 1st of January, 1863, the date of the Proclamation of Emancipation, Tweed was made permanent chairman.

The next step was to elect a new set of sachems. The "Leader" anticipated this action in an article replete with the absurd aboriginal imagery which has always been used in connection with Tammany affairs. It asserted that the old chiefs had ruled the councils too long; they had become gorged with good things and grown fat; therefore it was time they should yield a share of the honors and of the warm seats beside the council-fires to the young braves, who were hungry, and who, having done most service on the war-path, well deserved to participate in the government of the tribe. This broad hint was quickly acted upon. On the 21st of April a new set of sachems was chosen, — "harmoniously," as the "Leader" took pains to explain. It also stated, without excusing the proceeding, that, owing to the great desire which was felt to make this change, the constitutional time for electing these officers had been "anticipated," doubtless to the entire satisfaction of the new sachems at least. These comprised, among others, Purdy, Brennan, Edward Cooper, Richard B. Connolly,

Sweeny, Nicholson, John Kelly, Delevan, Devlin, Douglass Taylor, and Isaac Bell. James B. Nicholson was chosen "Father of the Council," which the "Leader" mentioned as a great compliment to that gentleman. It, however, was only a sample of the way in which the Ring flattered respectable men by giving them empty honors, while its members kept the real power to themselves. E. F. Purdy replaced Nelson J. Waterbury, who was at discord with Sweeny, and "who was thus," said the "Leader," "specially invited to retire." Three months later Tweed was made Grand Sachem *vice* Purdy resigned, and he thus became the head both of the General Committee and of Tammany Society. This last act put the political machine in running order. "The Old Guard are now on the war-path," exclaimed the "Leader," with that odd confusion of language in which it frequently indulged. Tammany Hall was now thoroughly reorganized and a most potent engine in the hands of the fast-forming Ring. Everything was tending towards the result described by Sweeny a few years later in an interview with a "Herald" reporter. When asked in what the strength of Tammany Hall consisted, he then replied in the vilely exaggerated language in which the "New York Herald" type of man delights: "It is chiefly from the completeness of its organization and the thoroughness of its discipline. General McCook of Ohio remarked, the last time I saw him, that, next to the Roman army under Cæsar, the organization of Tammany Hall was the most thoroughly disciplined body that the world has seen. We have good discipline. . . . . The organization moves with the precision of a well-regulated machine. Great vigilance is exercised to keep up its discipline." Much, however, still remained to be done, and first of all was the difficult task of harmonizing differences in the party. The bitter feud between Tammany and Mozart had long been both a scandal and a source of weakness. Every State convention was rent by contests for official recognition between the representatives of the rival factions. The newspapers were filled with the clamor of the contestants, while the longer the fight raged the more bitter it became. The "Leader" strove strenuously to allay the storm, and published many able articles showing the folly of continuing the interne-

cine war. With a happiness of nomenclature almost worthy of Carlyle it characterized Fernando Wood, the head of the Mozart faction, as a "Mephistopheles-Micawber," and vehemently denounced his "peace policy." Tammany should at least be credited with loyalty to the Union, — its own hall was used as a recruiting place, while one of its sachems fell at the head of his regiment in the field. The "Leader" declared that the "Peace party" was "an unmitigated political nuisance," and unceasingly opposed it. There were also other elements of strife between Tammany and Mozart, but Sweeny at last succeeded in removing, or at least neutralizing, them all, and so brought peace into the political camp. A compromise was effected. The inducements held out were all of a material nature, and on each side it was give and take. The spoils of office were shared according to the strength of the contending parties.

Early in the year the "Leader" had hinted that "the unfortunate division" in the party was to be healed by sending Fernando Wood to Congress, and the suggestion was now carried out. The ex-Mayor, who had become convinced that his opponents in Tammany were his superiors in strength, wisely withdrew from the contest, leaving the Ring masters of the field. The latter, on the other hand, were only too glad to get rid of so dangerous a foe, who, said the "Leader," "would in future be a faithful adherent to Tammany Hall." John Fox, who had shown signs of insubordination, was also conciliated by a seat in Congress, while Joseph Sutherland was nominated to the bench of the Supreme Court. The claims of Mozart being thus satisfied, Tammany remained to be considered.

The Recordership was now given to John T. Hoffman. But a still greater gain for the Ring was the accession to its ranks at this time of two invaluable adherents in the persons of A. Oakey Hall and Albert Cardozo. The former had begun his political life as a Republican, and had joined the Mozart movement in hopes of preferment. He was, however, by no means ambitious of finishing existence in a minority, and he was much too shrewd not to see that the Wood faction was passing into an eclipse. He had already once been chosen District At-

torney, and he wished a re-election. There was not the slightest hope of this under Republican or Mozart colors, and so, with the example of his chief before him, and under the persuasions of Sweeny, Hall went bodily over to the Ring. To quote the trenchant words of Horace Greeley in 1870, "at a time when there was no new phase of political affairs and absolutely nothing in either national or State politics to call for or explain it, Mr. Hall became a Tammany Democrat; betraying alike Republicans and Mozart Democrats. He promptly got office thereby, and has kept in office ever since." Nor was the reward of his tergiversation confined to an immediate re-election to the District Attorneyship. These men did nothing by halves. No sooner had Hall turned his coat than his new associates at once admitted him to their inmost councils; while he, in grateful acknowledgment, at once began to make himself very useful to them in many ways. Albert Cardozo, the other acquisition to the Ring, the price of whose adhesion was a nomination to a seat on the bench of the Common Pleas, was a *protégé* of Terence Farley; but his history and characteristics will be referred to more at length hereafter. The minor municipal offices were apportioned at the pleasure of the magnates of both factions among their followers, and quiet within the Democracy was now restored: it was not, however, a pleasant quiet; it resembled too closely that which in a menagerie follows the hour of feeding. The hungry politicians, instead of clutching at each other's throats, now crunched and mumbled their spoils with greedy relish; but their appetite for plunder soon revived, and, to satisfy it, their leaders were forced to make new drains upon the public purse.

As the "Leader" remarked in mentioning Tweed's selection as chairman of the General Committee, honors were being thrust on "our friend Tweed" from every side. A greater piece of good fortune, however, now fell to him. This was his appointment as Deputy, with $5,000 salary, by the Street Commissioner, Charles G. Cornell, who had been elected State Senator, and who gladly relinquished all the duties of the office to him. The latter now had his Supervisorship and his duties as Fire Commissioner to look after, as well as those of his new position, and it might fairly be supposed that his time was

fully occupied. His remarkable administrative talent, however, enabled him to despatch business with wonderful ease. He soon had the Street Department completely under his control, and developed in it a system of management remarkable not less for its simplicity than for the advantages which inured to himself personally under its operation. The patronage of this department was unequalled. Owing to the rapid growth of the city, scores of new streets were required, and in opening and completing these, putting in sewers, repairing wharves and piers, roads, public buildings, etc., a host of laborers were employed. During 1863 the outlay in the Street Department for salaries was $96,105; for wharves and piers, $158,043; for repairing and cleaning streets, $101,926; for roads and avenues, $89,244; for opening new streets, $10,735; for public buildings, $132,179; for contingencies, $12,932; and for Belgian pavement, $51,877; making a total of $650,000. This large expenditure increased so rapidly under the lavish direction of Tweed that within four years the figures were quadrupled. It was an easy thing for the Deputy to farm out work to those who would pay him the highest percentage, and no city contractor dared refuse a position to a friend of Tweed, however incompetent he might be. Thus the latter at once lined his own pockets and rewarded his henchmen. He even became so bold as to demand that his friends should be employed by the heads of the other city departments. Under this system the city pay-roll rapidly increased in length. The following were some of the entries upon it: Twenty-five court and office cleaners, total pay, $7,165; sixty-eight court attendants, each $800. All these were appointed by the Board of Supervisors, of which Tweed was president. Twelve deputy tax commissioners, and seventeen clerks to the same, the former with $2,000 a year and the latter with salaries of from $700 to $1,200; a number of office boys, each $520; fourteen court attendants, each $800; ninety health officers at $2.50 and $3.00 per day; twenty-two distributors of corporation ordinances, total pay, $13,992; twenty park-keepers, total, $6,510; ten extra tax-clerks, total, $3,760; seventeen market-clerks with pay from $547 to $1,500; twelve manure-inspectors, total, $11,268. Altogether the pay-roll for 1863 –

64 contains, exclusive of the police and public school-teachers, over twelve hundred names, while the total expenditure by the Comptroller for salaries during the year 1863 was $728,000. Many of these were sinecure places, while in none of them was the work onerous. Some of the office-holders were quite ignorant of their duties, but they were none the less perfectly content to draw their pay regularly without troubling themselves at all on that score.

Tweed with his vast patronage had now no rival in influence; Sweeny, whose sagacious counsels had become indispensable to his associates, ranked next in importance. Neither Hall nor Connolly, however, had yet taken the influential positions which they afterwards acquired. Thus, though the various characters who subsequently composed the inner Ring had not yet fully assumed their ultimate parts, they were now all upon the stage together. In the capture of Tammany, the last obstacle in the way of final operations had been removed, or, rather, the single organization capable of offering any effective resistance had been secured. The field was now perfectly prepared for all that was to follow; the body politic was thoroughly honeycombed with corruption. Experience has uniformly shown that in all struggles between prerogative and privilege the most formidable muniments of popular liberties are found, not in the regular machinery of the government, but in those informal organizations which grow up around it. This fact was strikingly illustrated in the present case. Firmly intrenched in every department of the government, the downfall of the Ring was the work of the press and of the bar. During its rise, however, it encountered little or no opposition from either of these quarters; both had, indeed, experienced the influence of its subtle and poisonous touch. This was curiously illustrated in the case of the "New York Herald," — the sheet which probably has the largest circulation and influence among the class to which Tweed and his associates looked for support. The "Herald" had announced, in the early months of 1863, that the glory of the old wigwam had departed. It continued to laud the Mozart at the expense of the Tammany faction for some time longer, making free use of its usual weapons of vulgar sarcasm

and slang badinage. In August of that year, however, it turned a characteristic somersault, and, harlequin-like, now began to mock and gibe at the other party to the conflict. In a leading article, Bennett complained that some brother editor had asserted that the "Herald" had at last done justice to Tammany Hall; whereas, he continued, "we trust that we have always done that to Tammany, Mozart, Oakey, and every other Hall." A few days later Benjamin Wood was summarily characterized in the same columns as a "blockhead," and Tammany was instigated to a more vigorous policy. This change of base may probably be credited to the dexterous manipulation of Oakey Hall. The elder Bennett was much too shrewd not to perceive the real nature of the new political combination; but it was always his policy to side with the strongest, and he now saw clearly enough that in the end Tammany would win. Owing to his enfeebled health, his son had become the responsible editor of the paper; and, through Hall's personal influence upon him, the "Herald" was brought into the support of the Ring. Young Bennett, like his father, was not to be bought with money; but flattery and attention accomplished what bribery could not. To please him, Hall appointed Gunning Bedford an Assistant District Attorney, and in 1868 this sample of semi-respectable mediocrity was nominated to a judgeship. Numerous other little acts of attention were performed, such as detailing a special policeman to protect the Bennett mansion on Washington Heights; they were trifles, it is true, but they pleased, and in return for them the "Herald" became the champion of the Ring.

Among the other leading papers, the "Tribune" and the "Times" denounced the municipal corruption and misrule in language sufficiently unsparing, which was fairly sustained by the "Evening Post." But Mr. Greeley was but an indifferent judge of men, and the trail of the corporation advertising was quite perceptible over the columns of the "Post." Whatever appeared in these papers, also, was attributed to the spirit of partisan warfare, and was productive of small results. The "World," on the other hand, preserved a position of neutrality, and preferred to lay the blame of everything at the

door of "radical legislation." The attention of those editing these papers was, however, mainly occupied by national affairs, nor, indeed, even had they desired to do so, could they have excited anything more than a languid or spasmodic interest in municipal matters.

Meanwhile the "Leader" was the organ of the Ring. Each week it distributed praise or blame to those within the fold, as a school-dame rewards or punishes her pupils. Sweeny, whose hand was on the lever of the machine, but who courted obscurity, was not mentioned at all. Connolly and Hall were spoken of but seldom; but Tweed, who was the Ring figure-head, was praised lavishly, as also was Barnard. The former was styled "the recognized leader of New York Democracy, ... a distinction he had won by patient industry, steady perseverance in right, and self-sacrifices ennobling as they were characteristic." Barnard, it was declared, "has worn the ermine with that grace and dignity which has made him an honor to the judiciary of the State"; while at another time he was commended for the good work he had done "in securing to each man his rights as a citizen," while he was described as "a young man imbued with the spirit of progress and untrammelled by the conventionalities of custom or the dictates of extreme partisanship." This puffery, absurd as it now seems, was not without its effect; and, until the great explosion actually took place, the number was continually increasing of those, even among respectable men, who hugged themselves with the fond delusion that after all the Devil was not so black as he was painted.

The deterioration of the bar had not been so great as that of the bench, but nevertheless it had been sufficiently complete to wholly neutralize its action through a long period of time. The formation of the Bar Association was one of the good results which flowed from the Ring supremacy. Before that was formed in February, 1870, there was no organization of the legal profession. A few men, among whom an honorable prominence is due to James T. Brady, were bold enough to denounce in ringing terms that growing corruption of which all were cognizant. Others were simply timid and subservient, floating easily with the tide, and always consoling themselves with the

reflection that they were no worse than the rest of the world. Between these two classes, however, altogether too many adopted that most contemptible of all codes of ethics, which greedily accepts the bribe, and then attempts to pettifog responsibility onto the spirit of the times. A most glaring example of this at once suggests itself in the case of David Dudley Field. The scandal excited by his course, and the amused indignation occasioned by the singular defence attempted of him and his patron, Judge Barnard, by Mr. George Ticknor Curtis, have already sufficiently occupied the attention of the public and the space of this Review.* They will constitute a part, both permanent and prominent, of this extraordinary and discreditable history. Perhaps, however, a sufficient idea of the almost utter demoralization which now pervaded the New York bar may best be derived from the following extract from a memorable speech of James T. Brady, delivered at the Cooper Institute, in November, 1863 : —

"Such a change has occurred in the administration of justice in this city, that when a man walks into my office with a bundle of papers, and says to me : 'Mr. Brady, here is an injunction from a judge to prevent my carrying on my regular business,' and, in one of the very last cases that I tried, there was an injunction to prevent a man from continuing to act as the foreman and cutter in a merchant tailoring establishment in this city, — an injunction from a judge to prevent him from carrying on his lawful trade for the maintenance of his family. How do you think I received those papers? When I first entered the profession, I would never have asked what judge granted it, but I would have looked at the merits of the case, and tried to tell my client what I thought. But, gentlemen, the question before even looking at one word written upon that paper, was, 'What judge granted this injunction?' Next, 'What judge is to hear this case?' And when the latter question was answered, in many cases I have handed the papers back and told my friend, 'I can be of no service to you : you must employ such a person, between whom and the judge, or judge's partner, friend, agent, or huckster, there exists a great affection ; employ him and you will have some chance to maintain your rights in a court of justice.' Is this any fancy picture? It is the language of the most sober and dreadful reality."

* North American Review, No. CCXXIV. p. 56, No. CCXXXI. pp. 284, 392–421.

Mr. Brady's statement was not contradicted at the time, and it has been since confirmed to the letter.

Who the "partners, friends, agents, or hucksters" referred to by Mr. Brady were, is now well known. Barnard himself, in a moment of happy inspiration, christened them with a title which they will always retain. In a case before him, where it was necessary to appoint a referee, the name of Gratz Nathan, a nephew and favorite referee of his associate, Judge Cardozo, was suggested, when Barnard violently interrupted, and said, "Put down James H. Coleman; he is my 'Gratz'!"

So far as the courts of law themselves were concerned, that quarter was the very last from which the incipient Ring had any danger to apprehend. The judiciary of New York City was already hopelessly corrupted. In view of what has already been said in the Review on this subject, it would be a mere waste of room to again go over the natural and gradual process through which this result has come about.* In connection with the transactions to which this paper relates, three men, however, enjoy a peculiar prominence as the "Ring Judges." These were George G. Barnard, Albert Cardozo, and John H. McCunn, — names which will long be remembered in the records of judicial infamy. They were all men of originality, and had severally exhibited peculiar traits of character. Barnard's career was, indeed, even full of romance. Born in Poughkeepsie, New York, of good family, and a graduate of Yale College, he had among his classmates Judge Sandford of Connecticut, and Walter W. Phelps, the brilliant young Congressman from New Jersey. After graduation he led a roving, desultory life, and finally wandered off to California. Here, according to one account, he was a gambling-house "stool-pigeon"; while, according to others, he at one time became so desperately impecunious as to perform with a negro minstrel troupe. Returning to New York, he betook himself to politics. He associated with the lowest class of "roughs," and by his vulgar "smartness" and audacity pushed himself forward, so that in 1858 he was elected Recorder. In this capacity he exhibited those native characteristics which afterwards made him notorious. He imitated his predecessor, Recorder Riker, and

* North American Review, No. CCXVI., July, 1867, pp. 148–176.

City Judge Russell, by occasionally imposing very severe sentences on criminals, and thus gained a fictitious reputation for judicial capacity. He was nominated to the Supreme Court, against the advice of all the judges, at a packed primary presided over by Tweed, and was elected without the support of a dozen respectable lawyers of any party. Yet his ambition coveted even higher judicial honors. In 1866, after making great professions of a desire to reform the municipal government, he sought and nearly obtained the signature of Governor Fenton to a bill giving him the right to hold the special term in chambers, exclusive of all the other judges. This bill, if it had become a law, would have placed in Barnard's hands enormous and wholly irresponsible power. Millions of property would have been subject to his disposal. He alone of all the bench would have been able to grant or dissolve injunctions, attachments, or orders of arrests; to appoint referees, and to issue writs of *mandamus*, etc. He would, in short, have been rendered irresponsible, except through a slow and doubtful process of impeachment; and it now seems inexplicable that such a scheme should have been even conceived, much less favored, by many far-sighted men, among whom were some of his bitterest assailants. Failing in this audacious attempt, Barnard contented himself by indulging on the bench in the most ill-natured and reckless displays of ignorance, vulgarity, and absence of personal dignity. His knowledge of law from books was so slight that his brother is said to have remarked, before his elevation to the bench, "George knows about as much law as a yellow dog." He supplied his deficiencies in this respect by quickness of perception and native shrewdness. Like the notorious Jeffries, Barnard had a keen, incisive mind, and when he chose to listen, he quickly grasped the pith of an argument or case. He gave prompt decisions, and, in spite of frequent unfairness, the bar was on the whole pleased with his despatch. Of a cooler nature, he was less violent than Jeffries, but their tastes were equally coarse. Both drank to excess and made free use of profane and vulgar language. Jeffries's demeanor on the bench was more overbearing and brutal, while Barnard was audaciously defiant and insolent. Lord Mansfield is said to have sat in eight hundred cases in one

ear, and Barnard was almost as rapid in the despatch of business. The pecuniary interests involved in his rulings were doubtless far greater than in those of the English Chief Justice, but Barnard rarely indulged in any discussion of those principles of law with which the name of the former is associated. But there is something ludicrous in even referring to the two in any connection. Barnard's friends claimed that he was a capable judge, because his decisions were rarely reversed by the Court of Appeals; but as many were not sustained in General Term and never reached that court, this reasoning seems not to be conclusive. The simple fact was that no man of keen natural faculties could sit and hear case after case argued by able counsel without learning a certain amount of law. Barnard was not only a man of keen natural faculties, but he was also gifted with an almost inconceivable assurance. He would accordingly sit upon the bench and discuss moot points with lawyers like Field, Evarts, or O'Connor, with all the coolness of an expert, and thus gave to the ignorant an edifying idea of his learning.

The keynote to his character was recklessness. He was not cowardly, and loved to defy public opinion and future consequences. He might perhaps best be compared to some of Bret Harte's California heroes, and if the gambler Outcast of Poker Flat had been made a judge, he would doubtless have closely resembled Barnard. He was licentious in his morals, coarse in language, and had a strong love for low company. His habits on the bench were all his own: he would drink brandy, or sit with his boots on the desk before him; but his favorite amusement was whittling, and it was one of the functions of the attendants of his court-room to keep on hand for consumption in this way a supply of pine sticks of a proper size and shape. He was a born gambler and an habitual frequenter of bar-rooms, but he was loyal to his friends and lavish with his money. He was also not without humor of a vulgar cast, which exhibited itself in his freak of wearing on all occasions an extraordinary white hat, and was probably the chief bond of sympathy between himself and the notorious James Fisk, Jr.

While Barnard by descent and characteristics was essentially

American, Albert Cardozo came of a mixed Portuguese and Hebrew stock. His family had for a time resided in South Carolina, and thence removed to New York, where about the year 1830 he was born. He entered Columbia College and took high rank as a student. Adopting the profession of law, he obtained a fair practice, and also formed the acquaintance of Fernando Wood, who probably recognized in him a useful tool if not a kindred spirit, and nominated him as judge of the Court of Common Pleas, delivering himself of some remarks on the occasion singularly illustrative of the depth of degradation into which the city bench had then fallen. Rarely has so young a man attained to such high judicial honor as fell to the lot of Cardozo. He had undoubted talent, however, and was far better qualified than Barnard for his position. In the first place he was a sedulous student, and well versed in the theory of his profession. Such of his opinions as were not influenced by partisanship were usually sound, and were expressed in clear and forcible language. These, however, were the exception, and Cardozo's whole career on the bench was marked by an utter disregard both of law and of right. His interference with the enforcement of the Excise Law was manifestly illegal, and a mere partisan bid for the support of the liquor-dealers. Like others of his Ring associates, he signed papers and issued orders without investigating their contents, and then excused himself from responsibility on the ground that he had been assured that there was nothing wrong in them. That as a judge he was thoroughly venal, and stood ready to sell law as a grocer might sugar, as will hereafter be seen, has been fully demonstrated. He was intensely ambitious. His darling dream was to secure a seat on the bench of the Supreme Court of the United States, and in the hope of doing this he sacrificed everything in the service of the Ring. Cardozo's personal appearance was peculiar and striking. He had a slender lithe figure, an active springing step, and the bearing of a gentleman. His features had a slight Hebrew cast; his face was beardless and his complexion almost livid; he wore long, thick curly hair; but his eye was his most marked feature. It was black, piercing, and ever alert. A bitter opponent once said that he had the eyes of a serpent

looking from the face of a corpse, and the description was not unhappy. He dressed simply. His manner was courteous but inflexible. He never lost his self-possession, but beneath his calm exterior was a heart the resentments of which were implacable. He lived quietly, going but little into society, and his domestic relations were free from taint.

If Barnard was essentially an American, and Cardozo not less essentially a Jew, McCunn was a typical Irishman,—noisy, bragging, blatant. He obtained his position on the bench in 1861, through the friendship of Fernando Wood's brother Benjamin, of lottery notoriety, and he superseded Judge Bosworth in 1863. His knowledge of law was even less than Barnard's. He was, however, cunning enough to employ capable advisers, and many of his opinions were written by Roger A. Pryor, who was then trying to get into practice in New York. In one or two instances where McCunn differed from his colleagues on the bench, he was sustained by the Court of Appeals, to the surprise of every one. He was not so courageous as Barnard, but he displayed, if possible, even greater effrontery. He was shamelessly corrupt, and though outwardly good-natured and even jovial, he was treacherous at heart, and sold his clients' secrets to opposing counsel. He persuaded a near relative to transfer property to him, and then asserted his title to it, and dispossessed him even of his house. Yet, in spite of these traits of character, McCunn could talk so smoothly and act the whole-souled Irishman so well, that he deceived respectable men into thinking him honest and desirous of improving himself. In his personal appearance and when in repose he was quite striking, and an anecdote is told of some eminent foreigner who, at a public entertainment, expressed the greatest curiosity to know something of "that remarkable-looking man with the head like St. Just." The tourist's faith in craniology is supposed not to have survived the shock.

But one more character remains to be referred to, and this preliminary gallery of familiar portraits will be complete. It will be remembered that where this article some pages back diverged into the description of the Ring judges, the various gentlemen who desired to assume the management of the municipal affairs of New York had, after much wrangling and

futile negotiation, finally patched up a hollow truce, the silence of which boded ill for the devoted city. This period of calm was then likened to that which is commonly observed to follow a division of food among a collection of caged beasts of prey. The process of deglutition over, the carnivorous propensities of these animals are apt speedily to reassert themselves. It was so in the present case with the city politicians. The contest between Tammany and Mozart revived, and "Mephistopheles-Micawber" once again prepared to disturb their sunny hunting-grounds and to prove himself a very thorn in the flesh of the sachems of Tammany. In 1865 Fernando Wood, without success, raised the old question at the State convention, whether Mozart or Tammany was the regular party organization. He then strove to unite the two factions in his support for the Mayoralty; but though the reputation of Tammany was at a low ebb, owing to the scandal created by the revelations of the Citizens' Association, and perhaps, indeed, for that very reason, it refused to affiliate with Wood. On the contrary, it nominated for Mayor John T. Hoffman, who had won great popularity by his firmness, as Recorder, in punishing the draft rioters of 1863. Hoffman, therefore, now loomed up into importance as one of the Ring respectabilities, — a species of figure-head, indeed, in matters of "deportment," in which capacity, and until the downfall of his associates, he certainly evinced very considerable abilities, and nourished a lofty ambition. As his name indicates, he was of German extraction. His family lived at Sing Sing, N. Y., and prior to his election as Recorder he was a member of a respectable law firm in New York. He had taken an interest in politics from early life, speaking frequently in political campaigns and at Fourth of July celebrations. His first connection with municipal affairs was in 1854, when he became an active member of the Young Men's Tammany Hall General Committee. In 1859 he joined the Tammany Society, and presently became a member of the General Committee. He kept aloof from the squabbles which tormented the Society, nor did he become prominent before the date of the Mozart Hall secession. In 1859 he was an unsuccessful applicant for the appointment of the United States District Attorney, but the following year he was elected Recorder by a handsome majority.

Hoffman was not a brilliant man, but he had ability, personal dignity, and resolution. He was ambitious, and though he was himself superior to mercenary considerations, he was not unwilling to shut his eyes to wrong-doing as the price of fame and position. "For the glory of sitting on the money-bags he would let others rob the treasury." He was elected Mayor by a large majority. His first notable act in this office was to veto the appropriation of $57,000 for the Corporation Manual, but his veto was overridden by the Common Council. Subsequently, in April, he vetoed two schemes aimed at the city treasury, — one granting an extra allowance to a contractor, and the other authorizing a retired city inspector to continue in the occupation of rooms rented by the city, and to keep an indefinite number of clerks for an indefinite period to accomplish the unfinished business of his department. The power of the Ring, however, was so great, and the Mayor was so hampered by provoking legislative safeguards, that it would have been hard even for one not blinded by ambition to stem the rising tide of corruption which flooded in from every side. In his case, also, the prize of the governorship was ever dangled before his eyes, and obscured his vision.

In July, 1866, his name was brought forward in connection with that office, and he was nominated at the Democratic State Convention, after an unusually long ballot. He made numerous speeches during the canvass, in which he mainly discussed national topics. He denounced the Registry Law at length, for its injustice to foreigners; and thus, as well as by a letter to President Johnson regarding the Fenian invaders of Canada, made a bid for the Irish vote. He also denounced the Commissions, and referred casually to the wasteful expenditure of public money in the city. He was defeated, partly, it is alleged, owing to frauds perpetrated by the Republicans, but more probably because he was not well known to voters outside of New York City. Its failure in this caucus stimulated the Ring to extraordinary energy in the election two years later. This was the Presidential canvass in which Grant was opposed by Seymour. The "Leader," in a five-column double-leaded article, entitled "Save the Republic," vigorously insisted upon the necessity of making every exertion to secure

a Democratic victory both in State and city. Among other things, vast preparations were made for a mammoth torch-light procession and mass meeting in October, and a large attendance was secured by the offer of a silken banner to the ward having the fullest representation. The arrangement of the procession was intrusted to Mr. Andrew J. Garvey, who was highly commended by the "Leader," both before and after the parade, for his "unsurpassed skill and experience in matters of this kind." When the procession reached Tammany Hall, marshalled by Garvey, who carried a richly carved baton, Oakey Hall was in ecstasies, and almost embraced this "jewel of a grand marshal," as he called the subsequently famous contractor, whom the Ring and its organ, for reasons hereafter to appear, felt impelled at this juncture to court and flatter as much as possible.

The corruption of the city executive and judiciary was now fairly eclipsed by that of its ballot-box. Tweed and his associates were resolved to carry the local elections by fair means or by foul. Under their unscrupulous manipulation false registration, repeating and falsification of election returns, were developed into a science. Their proceedings were simply amazing. The process through which the city politicians drew around them an army of unscrupulous followers, dependent upon the public purse and ready for any service, has already been described. From this material bands of organized repeaters were now formed, led by Mike Norton, "Jimmy" O'Brien, Reddy the Blacksmith, Florence Scannel, and other hardly less notorious individuals. In the days of the old fire department these gangs would rendezvous in the engine-houses, and thence proceed to the polls, and it was evidence of this fact which in great degree caused the breaking up of the volunteer system. Election frauds had long been charged on each other by the political parties in New York City, and, indeed, there is some reason to suppose that through their agency the defeat of Henry Clay was brought about in the Presidential election of 1844. Governor King, in his first annual message, in 1857, in referring to the "elective franchise," said: "All know that in the city of New York, and measurably in other large cities, it is not pure, and often not free." And again, in March,

1858, a select committee reported to the Assembly, that "of late years frauds and simulation at the ballot-box have become extensive and enormous." In view of this great and growing abuse, the Legislature of the State finally enacted the Registry Laws of May 13, 1865, and April 25, 1866. These, however, wholly failed to accomplish the object for which they were designed. False voting increased with each election. It was large in 1866, but in 1868 it reached a hideous climax. In the earlier days party leaders were satisfied with repeating; then wholesale naturalization by the courts began; and finally, when this proved inadequate for the exigency, partisan inspectors were appointed, who did away with the necessity of repeating by manufacturing the returns to order.

On the 6th of October, 1868, wholesale naturalization was begun on a scale hitherto not imagined. The Supreme Court, for the first time in its history, engaged in this work, which had previously devolved wholly on the Court of Common Pleas and Superior Court. No less than 105,000 blank applications for and 69,000 certificates of naturalization were ordered to be printed by the New York Printing Company for the Superior and Supreme Courts, besides "several thousand" blanks supplied for various committees and officers established by Tammany Hall. In the Supreme Court Barnard alone heard applications for naturalization; in the Superior Court McCunn was more or less assisted by his associates. McCunn was, however, most remarkable for the indecent haste with which he examined applicants and issued certificates to them. He sat on the bench longer than the usual court hours, in one case remaining until midnight. Of the 17,572 applicants in this court he allowed eight ninths. The daily average from October 5 to October 23 was 1,415, while for several days respectively the number ordered to be passed was 2,109, 1,868, 1,856, 1,842, 1,760. Barnard held his court nominally from seven to nine o'clock in the evening, but the sessions ran up to ten and even eleven o'clock. Experienced judges stated that it was rapid work to naturalize twelve men in an hour, yet McCunn declared that he could examine two applicants in a minute, while Barnard made citizens by platoons. The average number naturalized each year in the Common Pleas, from 1856 to 1867 inclusive,

was 5,252, and in the Superior Court 3,955, or a total annual average of 9,207. The highest number in any one of these years in both of these courts, prior to 1865, was 16,493 in 1856. Yet in 1868 there were naturalized in the Common Pleas 3,145, in the Superior Court 27,897, and in the Supreme Court 10,070, making a total of 41,112, — more than four times the previous annual average. These figures, moreover, only include such cases as were registered; the actual number was doubtless much larger. It was pretended that this extraordinary increase was due to the fact that many aliens took out their papers at this time who had neglected to do so during the Rebellion, from the fear of being thereby rendered liable to compulsory military service under the draft. The figures of the Presidential election of 1864, however, do not exhibit any diminution from previous years, to indicate that aliens were deterred from naturalization by that consideration.

Not only was the number of the naturalizations effected enormous, but the manner in which the applicants were passed was scandalous and fraudulent. They, with their witnesses, were repeatedly sworn in groups, without any separate examination. In one instance thirteen, and in another fifteen, men were naturalized in five minutes. Certificates were procured for persons who did not appear in court, while professional witnesses vouched for every doubtful applicant. The proceedings were not even public, but in many instances the doors were closed, or the court-room was so crowded that it was impossible to get within hearing distance of the judge. On several occasions spectators were forcibly ejected from the court-room. Certificates were also issued in large quantities under fictitious names, for the use of repeaters; thousands of these were sent broadcast throughout the city and State. Many certificates were issued to professed minors, to avoid the previous "declaration of intentions" which is necessary in other cases. Out of 10,093 naturalizations in the Supreme Court, 9,711 were of this character. In the Superior Court 13,541 out of 17,572 applicants were minors. The evidence in other courts shows that about sixty per cent of "minor applications" is a legitimate proportion, so that in both the Supreme and Superior Courts heavy frauds were perpetrated in this way. The next

step was the development of false registration upon an equally large scale.

In New York City there are 22 wards, which during the control of the Ring were divided into 340 election districts. The law provides for four inspectors of registry and election in each district. These, aided by two poll-clerks, sit for one day three weeks prior to the election, or two days if the number of voters in the district exceeds 400, and again on the Friday and Saturday immediately preceding the election, to register the names and residences of voters appearing for that purpose. No one, unless so registered, can lawfully vote. At the election these inspectors receive the ballots from the voters, and deposit them in the proper ballot-boxes. The names and residences of those voting are recorded by the poll-clerks on poll-lists, and when the polls are closed the ballot-boxes are delivered over to two canvassers, who canvass or count the ballots, which should by law exactly tally in number with the names recorded on the poll-lists. The result of the canvass is announced and certified by the canvassers, and their returns are finally passed upon by the Board of Supervisors sitting as a county board of canvassers. Persons claiming the right to be registered and to vote may be challenged, and in this case their right to registry is decided upon by a majority of the inspectors. These restrictions certainly have the appearance of being sufficiently rigid to secure a reasonable purity of the ballot. In operation they only demonstrated how utterly futile all restrictive laws are in presence of a debauched public opinion. The plan now devised to wholly evade the operation of the registry was brutal in its directness and simplicity.

Headquarters were established in the different wards, and duplicate lists of fictitious names were made out, in which a number and a street were set down opposite each name. Two days before the election, gangs of men assembled at these headquarters and were called off, each receiving one of these names. They then, under leaders who in many cases were notorious thieves, went in small or large parties, and registered repeatedly. On election day the same set of men, after being stimulated by drink, were led to the polls at the places where

they had registered, and voted "early and often"; occasionally exchanging coats and hats, more in jest than to avoid recognition. Six men were registered from Tweed's house, nine from that of Justice Shandley, and thirteen from that of Coroner Keenan. The actual number of residents in the three dwellings was eight. From the Compton House, a second-class hotel in Third Avenue, 152 persons were registered, and 94 voted. From the house of George Thompson, a member of the Democratic General Committee, 35 persons were registered, and 23 voted. Besides these instances, there were false registrations from the houses of other well-known persons respectively, as follows: Senator Michael Norton, 30; Peter Norton, his brother, 24; Alderman John Cox, 25; Alderman Isaac Robinson, 20; Michael Sharkey, 20; Peter Burns, 13; Assemblyman Peter Mitchell, 15.

In the twenty-first ward, the home of Sheriff O'Brien, an extraordinary state of affairs existed. Though this ward had 6,812 Democratic to offset 1,399 Republican voters, yet hundreds of repeaters were lodged and fed in it, free of expense, by O'Brien, on election day, and three or four hundred deputy-sheriffs were actually sent to this locality to prevent the former from being interfered with. O'Brien, indeed, appointed some two thousand special deputies on the election day, purely on his own authority, and without a requisition from the Mayor, Governor, or the police authorities. Their orders were concise, — to arrest any one who might attempt to interfere with voting. Many of them were men who had been convicted of crime, and all belonged to the order of "roughs." Besides the evidence of wholesale repeating educed by the discrepancy between the poll-lists and the registry, the number of naturalization papers issued to fictitious persons, and the disclosures of men who took part in repeating, additional proof of the colossal nature of the frauds perpetrated at this election is found in the excess of the vote cast above the entire actual voting population. Full evidence of this last fact is supplied by the Congressional Report on the New York Election Frauds of that year.* In this document the conclusion was reached that "the total fraudulent and illegal votes cast in the State of New York at

* House Documents, 40th Congress, 3d Session, Report No. 31.

the election in November, 1868, were not less than, and probably exceeded 50,000 votes."

Nor did these frauds stop here. Those who had the present "job" in hand were men who believed in thorough work, — they proposed this time to take a veritable bond of fate. It had been charged by the Democrats that in the gubernatorial election of 1866 the Republican managers withheld the returns from the country districts until they had received the vote in New York City, when they manipulated the former so as to offset the Democratic majority in the metropolis. Whether well founded or not, this belief probably suggested to the Tammany leaders the adoption of like tactics in the pending canvass. Immediately before the election, Oakey Hall, who was secretary of the Democratic State Committee, prepared and sent to the chairman of every county Democratic organization in the State the following secret circular: —

[Private and strictly confidential.]

ROOMS OF DEMOCRATIC STATE COMMITTEE,
October 27, 1868.

MY DEAR SIR, — Please at once to communicate with some reliable person in three or four principal towns, and in each city of your county, and request him (expense duly arranged for this end) to telegraph to Wm. M. Tweed, Tammany Hall, at the minute of closing the poll, — not waiting for a count, — such person's estimate of the vote. Let the telegraph be as follows: "This town will show a Democratic gain (or loss) over last year of ——." Or this one, if sufficiently certain: "This town will give a Republican or Democratic majority of ——."

There is of course an important object to be attained. By a simultaneous transmission at the hour of closing the poll, but not longer waiting, opportunity can be taken of the usual half-hour lull in telegraphic communication over lines before actual results begin to be declared, and before the Associated Press absorb the telegraph with returns and interfere with individual messages; and give orders to watch carefully the count.

Very truly yours,

SAMUEL J. TILDEN, *Chairman.*

This circular, though purporting to be signed by Mr. Tilden, was prepared and issued without his knowledge. When Mr. Tilden heard of its existence, he protested at once

against such a use of his name, or the issue of the document itself. Mr. Hoffman also never saw or heard anything of the circular until it appeared in print. Another ingenious device suggested itself at this time to Hall's fertile mind. On October 28th a call was issued from the rooms of the Tammany Hall General Committee, requesting the Democratic canvassers of the city to meet at the hall on the Sunday before the election. Some three hundred and forty responded, who were advised by Oakey Hall in counting the votes to read over the name of every elector on every ticket, instead of simply counting each ticket as a unit without reading all the names on it, as had been the practice at former Presidential elections. Hall himself afterwards stated that one of his objects in doing this was to prolong the count as much as possible, so that the interior of the State could not hear of the progress of the voting in the city, as had been the case in former elections. These arrangements had the expected effect. More than two hundred telegrams were forwarded to the city in answer to Hall's circular, and early in the evening of the election day about one third of the State had been heard from. On the other hand, as a result of Hall's other suggestions, a delay of three hours was brought about in making up the city vote. This time was undoubtedly employed in manipulating the returns to suit the exigencies of the Tammany leaders. Oakey Hall subsequently explained that the object of the circular was "to get local estimates from our Democratic friends, with which to compare and check the returns as they came in." Its idea, he further said, was "not to perpetuate fraud, but to check fraud," and he added, "I wish to disavow the remotest intention, on our part, of in any way advising the canvassers in the city of New York as to the state of the country polls; and, as a matter of fact, I state that no one single canvasser in the city of New York knew what was the country poll, excepting as he may have heard it was announced at Tammany Hall or Cooper Institute." All of which will be accepted for exactly what it is worth. Meanwhile the decisive fact remains, that on this occasion the votes returned as cast in New York were eight per cent in excess of its entire voting population, and furnished a Democratic majority of 60,678, which sufficed to

promote Mayor Hoffman to the gubernatorial chair by a majority of exactly 10,000 in the entire State.

The transcendent interest taken in the national and State canvass had left, during its progress, little leisure for thought about the local elections which were to follow it. In case the Democratic candidate for Governor was victorious the office of Mayor would be vacant; yet, as Hoffman's term had not expired, it was uncertain whether a new election would be held, to choose a successor to him, or whether Coman, who as President of the Board of Aldermen had acted as Mayor during Hoffman's absence on electioneering tours, would, *ex officio,* succeed him. Coman, who was a type of the ordinary New York politician, had shown himself ready to aid any jobbery likely to benefit himself or his friends; but whether he was exactly the man the present exigencies called for in that place was not clear. When the existence of a vacancy was established, Sweeny was evidently in a condition of great mental perplexity, and even contemplated taking the office himself. Baffling feelers were continually put forth by the "Leader," pointing to different men. Finally Coman was roughly thrust aside, and the vacant Mayoralty was placed at the disposal of Mr. Oswald Ottendorfer, editor of the *Stadts Zeitung* newspaper, and himself enjoying great influence with the German voters of the city. The honor was declined by him, but when asked to mention some one who would be satisfactory to himself and the Teutonic element, he named A. Oakey Hall. This decided the matter. The spirit in which the selection was received by the leading journals was characteristic. The "Herald" commented upon it in the vein of coarse mockery which it loved to affect. But at this time Hall was a constant contributor to its columns, and on terms of close personal intimacy with its editor; it would not therefore be at all surprising if he were himself the author of the following effusion which greeted his own nomination: "It will be a refreshing novelty to have for Mayor of New York a strictly upright, honorable, capable man, and at the same time one who writes a drama or a farce with equal success, acts a part as well as most professionals on the stage, conducts the most difficult cases on the calendar, sings a good song, composes poetry by

the yard, makes an effective stump-speech, responds to a toast with remarkable eloquence and taste, mixes a lobster salad as well as Delmonico's head cook, smokes the best cigar in New York, respects old age, and admires youth, as poets and orators invariably do." The "Tribune," on the contrary, used the following out-spoken language in commenting on the candidate of the now triumphant Ring: "Mr. Hall is the most ambitious, reckless, and, in most respects, the most supple myrmidon of the Tammany Ring. For many years he has been the support of the thieves who have plundered the treasury. In his present office he has stood between robbery and justice. Instead of punishing the breakers of the law, he boasts that he has not executed the law." The nomination of Hall took place as announced, and his election followed in due order.

As the result of this election, to use the words of Samuel J. Tilden, "the Ring became completely organized and matured." The 1st of January, 1869, found it master of every department of the city, and of nearly every department of the State government. It controlled both Legislature and Common Council. Its adviser, Hoffman, sat in the Governor's chair at Albany, and its other adviser, Hall, sat in the Mayor's seat in New York. Sweeny was City Chamberlain; Tweed held the Department of Streets; Connolly had been advanced to the office of Comptroller. Barnard, Cardozo, and McCunn were secure upon the bench. A subsidized press and a demoralized bar stood ready to extenuate its every act before a too lenient public. Well might the Ring feel secure and prepare to reap the rich harvest of corruption. Its success had been complete, its power was vast, it seemed protected from assault on every side. The vast city, rich with plunder, lay helpless at its feet.

Yet, even in the hour of triumph, there was an ominous foreshadowing of disaster. O'Brien, who had rendered invaluable service during the election, had just before been made Sheriff. His ambition, however, was not satisfied with this elevation, while a growing sense of importance made him not indisposed to rebel. Soon after the election a leading Republican politician met Sweeny, and, after interchanging a few words with him, said, "You have made an awful blunder

in putting in O'Brien as Sheriff; mark my words, he will ruin you all." "Well," replied Sweeny, apologetically, "we had to take him or the Big Judge" (Connolly). "Very true" was the rejoinder; "but the Big Judge don't amount to anything, you could turn him out of doors every day in the week. O'Brien is made of different stuff, as you will find out when he begins to tackle you." The utterance was prophetic.

CHARLES F. WINGATE.

ART. VI. — CRITICAL NOTICES.

1. — *A History of American Currency, with Chapters on the English Bank Restriction and Austrian Paper Money.* By WILLIAM G. SUMNER, Professor of Political and Social Science in Yale College. To which is appended "The Bullion Report." New York: Henry Holt & Co. 1874.

THE field of financial history of which Professor Sumner has undertaken to present a sketch is well known to students as being astonishingly rich in materials, and fruitful of cases profitable for warning or instruction. But it is broad, much of it has hardly been explored, its attractions have not been heightened by the skill of the writers who have dealt with it hitherto, and thus the general public have but a faint idea of its real importance. The fact that our own history proves by examples in a hundred different forms the futility of the latest theories about supplying the people with "cheap money," — that is, with a cheap substitute for money, — is one which the advocates of depreciated paper are not eager to keep before the public. The record is not a pleasant one for them to face. It shows the unsoundness of their principles and the breaks in their logic as exposed by the clear lights of experience. The record is annoying also, because it shows that their folly is, after all, stale folly, and has no more right to stand in the way of sober discussion in finance than the Ptolemaic system has in astronomy. The appeal to history is also a vexatious one for the "practical statesman" of to-day, because it is not an appeal to theory, but to fact; and it is on his obedience to "facts" and to "realities of every-day life," as distinguished from the "mere theory" of Mill and Ricardo and Tooke, that he chiefly prides himself.

Our colonial period is especially full of cases where economical and financial heresies, such as were gravely defended in Congress last winter by the inflationist party, were exploded and buried fathoms deep a century or two ago. The country was then poor in everything save its undeveloped resources and the inventiveness of its financiers; and in nearly every Colony there was a long succession of schemes for coining credit, in default of anything else to be coined, and all ending in disaster. The variety of forms in which bad paper was issued during this period is amazing. When Peter Goldthwaite found his treasure, says Hawthorne in the "Twice-Told Tales," "here were old provincial bills of credit, and treasury notes, and bills of land banks, and all other bubbles of the sort, from the first issue, above a century and a half ago, down nearly to the Revolution. Bills of a thousand pounds were intermixed with parchment pennies, and worth no more than they." Our ancestors appear indeed to have tried all the possible variations on this theme.* They began with wampum and they ended with currencies, "secured upon real estate, based on the credit of the whole people and receivable for taxes and all public dues," but they found no protection against the consequences of inconvertibility and overissue. Cheated by one scheme, they resorted to another; and their public men, to whom finance was a study in which they had few lights, did little to correct the popular errors. Their writers sometimes, like Franklin, gained a clear perception of the effect of quantity on an inconvertible issue; but of the great principles of currency they had little notion, and they had not yet drawn the inevitable induction from their own experience. Franklin defended the legal-tender paper of the Colonies when the Board of Trade proposed to put them under a wholesome restraint; and his pamphlet was produced with great satisfaction by Mr. Kelley of Philadelphia, in one of the currency debates of last winter: but we suspect that nobody except Mr. Kelley would now find himself strengthened by the philosopher's argument. In financial discussion the colonial period is not rich; but in illustrations of financial principles, working out then on a limited field the same results which are produced to-day on one as broad as the continent, there is none that is more abundant.

The story of the continental currency, and its quick depreciation

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* As an incident showing the value of money in the Massachusetts Colony in its earliest years, Mr. Sumner observes that "the President of Harvard College was condemned to pay an usher £ 20 for flogging him." The value of the illustration, whatever it may be, will not be impaired if we venture to remark that Nathaniel Eaton, master of the school in Newtowne (now Cambridge), has never been reckoned among the Presidents of Harvard College.

and final repudiation, is more familiar. In that case success has disguised the shame of the expedient, and private wrongs are forgotten; but Pelatiah Webster, the contemporary writer whose neglected prophecies and forgotten record of their fulfilment is the best commentary on the financial history of his day, says of this paper, now treasured in many a cabinet among the patriotic mementos of the Revolution, that "it has killed more men, pervaded and corrupted the choicest interests of our country more, and done more injustice, than even the arms and artifices of our enemy." To hint that the bloodstained greenback, which also has served its purpose and is fulfilling its obscure destiny, has also been the instrument of private wrong, and perhaps a hindrance instead of a help to the public success, excites a sort of sacred rage in the minds of some perfervid patriots; but we are willing to stand by the prediction that this will be the judgment of history in another generation. We may still hope that history will not carry the parallel between the two currencies further, and record a repetition of the later phases of the continental experiment. It ought, however, to be steadily remembered that the continental currency was always "eagerly sought by the people," that more of it could always be used, and that, if the evidence afforded by depreciation be neglected, it gave few signs of redundancy until the bottom tumbled out altogether. It is the unfailing characteristic of such a currency, if it has the legal quality of paying debts, that it will circulate at some rate or other, whether its promise be kept or not, and though it bear only the promise of John Smith, or no promise at all, as General Butler proposed. Professor Sumner understates the case when he says that the continental bills in the spring of 1780 "were worth two cents on the dollar, and then ceased to circulate." They continued to circulate and to depreciate, says Pelatiah Webster, until May, 1781, and never passed more briskly than when they had fallen to five hundred for one. Up to that point the continental currency had fallen short of "what the country could use"; at that point it vanished. The same phenomenon was observed in the South in the closing days of the Confederate government, and ought to be well pondered by those who think that an inconvertible currency needs to be expanded as soon as it begins to pinch.

For the seventy-five years following the Revolution, our financial history is simply a weltering chaos. Here and there a topic of real importance emerges, such as the rise and fall of the United States Bank, the establishment of gold as the only currency recognized by the government, the development of some excellent systems of State banks, and of some which were frightfully bad. There are

abundant illustrations of good and bad banking; but with twenty or thirty legislatures constantly at work setting up or pulling down banks of issue as each felt disposed, there is no connected thread of history to be found. The movements of those years led the people of the United States nowhither; and at the end, while some States had a currency with which they were well satisfied, and others had not, the country as a whole had reached no conclusions, save some general objections to the use of anything except gold and silver as a legal tender, and to the meddling of the national government with the issue of paper. On both of these points a few months sufficed to effectually reverse the decision of public opinion, so transient are the impressions of experience on the life of our nation.

It is readily seen that the writer who undertakes an historical review of these successive periods in the narrow compass of two hundred and thirty pages should have the art of historical perspective in a high degree. So many of the events are unimportant, and so many are positively eccentric as regards the main drift of the narrative, that judicious selection and a due subordination are absolutely necessary in order that any clear impression may be made on the reader's mind. But no such "distancing" of details is to be found in Professor Sumner's book. The student is glad to be put on the track of many facts which are in themselves interesting and little known, but their bearing on the general subject is not always obvious, and their effect is confusing. Nor can it be said that the author's comments on measures and events are in a style which is either judicial or scientific. His hearty contempt for the empiricism which has usually ruled in our financial affairs, and his hatred for the doctrine of protection and for irredeemable paper, often lead him into a train of remark which savors of the pamphlet rather than the scientific history, and inspires distrust in the minds of a class of readers whose entire confidence ought to be gained, — we mean that large class who are now forming their opinions on the subject of currency. With all the deductions made from the possible use of the work by these imperfections, it is still one of real value in the discussions upon which the country has now entered. The precedents recited in it, and the inferences to be drawn from them, are scientifically conclusive, and their effect is moreover not to be avoided by the superficial distinctions which the inflationists are fond of taking. This is a new country, says one writer of this school, and England is an old one; this is a continent and she is an island: and we cannot argue from her record. Here is "continental" experience, from every stage of our development, in amount and variety sufficient for the conviction of the most sceptical.

Much that should otherwise be said in criticism of Professor Sumner's book is rendered needless and even improper by the frank confession made by the author in his Preface. Several articles, treating of topics covered by the present volume, had been published by him in the "Financier," and the excitement caused by the panic of 1873 made it probable that a connected sketch of our financial history might be useful if issued at once. The materials were therefore thrown together hastily and without such further research as the subject requires, the author hoping, as he says, "at some future time to treat it as it deserves," and the book was rushed through the press so as to be ready for publication in April, 1874. This haste in preparation must account, no doubt, for the typographical imperfections of the book, which are many and grievous, — unless indeed some of the errors are slips of the pen, which a careful revision by the author should have removed: such as the statements that the Bank of North America was re-chartered in 1781, instead of 1787 (p. 50); that the deposits were removed by Jackson in 1832, instead of 1833 (p. 100); that the second suspension of the United States Bank occurred in June, 1841, instead of January (p. 152); that the State debts in 1841 – 46 were $200,000, instead of $200,000,000 (p. 165); the transposition of "Southern States" and "Southwestern States," which spoils the table on p. 181; and the date January 30, 1864, instead of June 30th, on p. 208. The critic is also disarmed in the same manner if he approaches the remarkable slovenliness of style and arrangement which disfigures the composition of the book, although he has a right to urge that no exigency of publication can justify an author in the use of language which is often obscure as well as incorrect, and in the heaping together of bald and disconnected statements, for which the reader is to discover for himself some principle of coherence. How rugged is the task thus set for the reader may be judged from the following passage, taken at random among many: —

"In 1827 money was plentiful. In 1828 it was plentiful until May, when there was great scarcity, renewed in September. In May, 1828, the highest protective tariff before 1864 was passed. The percentage of duties on total imports in 1830 was 30.93, and on dutiable, 47.46. In 1829 money was scarce until July, when it became plentiful. President Jackson opened the attack on the United States Bank in his first message in December of that year. In 1830 money was plentiful. An English writer of the period speaks of specie as flowing to America from all parts of the world, and Niles's Register quotes a contemporary as complaining of the over-abundance of silver, and wishing some gulf might open to swallow it. The Bank of the United States increased its loans. During 1831 it continued this movement,

increasing its loans from forty to sixty millions, as President Jackson charged, in order to manufacture popularity. In October, 1831, the money-market became stringent. In 1832 the United States Bank still further extended its discounts to seventy millions." (p. 8.)

A strong mental digestion is needed, when the reader is served with some pages of matter in this form.

Graver errors than those of style, however, and slips not of the pen alone, have made their way into the book. Thus, on p. 71 the author says that Mr. Madison vetoed the bill for chartering a United States Bank in 1815, "because it allowed the bank to begin under a suspension." It is a curious fact, showing the strong delusion which sometimes seizes upon public men when they find questions of finance complicated by the existence of war, that Mr. Madison vetoed the charter of 1815 expressly for the reason among others that it did *not* allow the bank to begin under a suspension, — preferring a bank which, as Mr. Webster said in debate, "is to begin with insolvency, ... is to commence its existence in dishonor, ... is to draw its first breath in disgrace." This, we must remark, is the harsh language with which Mr. Webster habitually characterized the issue of currency bearing a false promise and requiring "whoever receives the note to take it with the knowledge that it is not to be paid according to the terms of it." Compared with the broadly gushing rhetoric of a Logan, a Morton, or a Kelley, this severity seems strangely unsympathetic. But, to return to Professor Sumner, on p. 160 it is stated that the Bank of the United States, when it finally failed, owed the Bank of England "twenty-three millions." Whether this tidy sum is in dollars or sterling, we should need strong evidence to satisfy us that the Bank of England ever exposed itself to loss by a single debtor to any such amount. Possibly the statement is based on a passage in Benton's "Thirty Years' View" (Vol. II. p. 367); but it looks apocryphal, and is not borne out by the report of the committee of stockholders on the affairs of the Bank of the United States, which is the only authority which we now happen to have before us. We must also note the statement (p. 190), that in 1861, "after the inauguration of President Lincoln, increased revenue being required, the tariff was revised." This account of the establishment of our present protective system is often met with, the truth being, however, that Congress did not meet after Mr. Lincoln's inauguration until the 4th of July, and that the revision of the tariff referred to was among the closing acts of Mr. Buchanan's administration. And how *could* Professor Sumner make the statement (on p. 208), that "by an act of June 30, 1864, the amount of greenbacks is fixed at 400,000,000"?

No amount of explanation corrects the mischief done by such a slip when made by a writer who assumes to speak with authority.

It is a natural result of Professor Sumner's haste in publication, that, not having his material fully digested and brought into the narrative form in his own mind, he has been compelled to follow at different periods the lead given by preceding writers. Thus, for the ante-Revolutionary period his authorities are chiefly Felt and Phillips. For the next generation or two he follows quite implicitly the line taken by Gouge in his "History of Paper Money and Banking," — an author who constantly needs watching and verification, and whose page, though suggestive, is full of danger for the unwary student. Mr. Benton is the dominant authority for the period covered by his "Thirty Years' View," and is also an unsafe though a convenient guide. Every page of Mr. Benton brings out that overwhelming individuality which determined his view of every measure with which he had to deal, and every man with whom he came in contact. In all the long controversy carried on over the United States Bank and the associated topics, his intense partisanship, his consequent fondness for dressing the facts before presenting them, and his freedom in imputing motives and applying epithets, make him an entertaining advocate, but never a trustworthy historian. The result, therefore, of Professor Sumner's too steady reliance upon him is, that the United States Bank, in the Professor's narrative, appears, if not conceived in sin, to have lived in iniquity, and to have perished deservedly in the fulness of its wickedness; that throughout its war with President Jackson, it is the wolf and he the lamb; that scanty justice is done to Mr. Clay; and that Mr. Webster's grand figure is dwarfed nearly to the proportions of those politicians of 1874 who have lately made the solemn announcement, that "the currency is in an abnormal condition and must be reformed," and that "when the Republicans discover the true way they will pursue it." And yet the United States Bank performed great service; its wretched insolvency at last proves nothing to the discredit of its management in its better days, and does not verify in any true sense Mr. Benton's wild allegations as to its unsoundness; patriotism was not the only passion which stirred in the breast of Jackson in that furious contest; and the Bank did number among its friends men whose financial doctrines, fairly considered, were sound, whose motives are above suspicion, and whose intellectual calibre was at least equal to that of their opponents.

Of our later financial history no writer, so far as we know, gives any connected narrative. Something can be gleaned from writers like Bowen and Spaulding, but in general the materials must be col-

lected slowly and painfully from the documents and publications of the day; and therefore Professor Sumner's treatment of all that follows the gold discoveries in California is fragmentary and meagre. The student fails to collect from the statements given to him any connected account of the finances of the government during the war; the crisis of the last months of 1860 — one of the most remarkable and instructive on record — is not noticed at all as a crisis; the causes of the suspension of specie payments in December, 1861, are hurried over with that failure to do justice to the action of the banks in the leading cities, of which Mr. Chase set the example; and the panic of 1873 is disposed of in a single page. All this is unfortunate. Professor Sumner himself justly remarks, that our currency, our tariff, and our politics cannot be studied separately, but must be viewed in connection with each other; and in the same way the great tides in our commercial affairs which culminate in periodical crises and panics are not to be explained merely as phenomena of currency, or the effects of this or that tariff. An important service might have been done by showing the public that the causes of our panics, like that of 1873, lie too deep for legislative remedy, and that recovery from them, always looked for with the same impatience which is now witnessed, is and must be slow and painful. And as for the steps by which we hurried into our present slough of irredeemable paper, a majority of the living political generation in the United States have no recollection of them, and no experience which should give any fair idea of the real difference between having a specie standard and one of paper. For the instruction of this class of readers, a distinct and careful account of financial affairs from 1860 to the present date is much needed; and the reader cannot help regretting that a writer of Professor Sumner's undoubted ability, hearty devotion to sound principles, and enthusiasm for his subject, did not either give himself full time for an adequate survey of the ground which he has attempted to cover, or concentrate his efforts upon the more recent, and, for practical purposes, more important parts of the field. As it is, the book is far from being a successful one. The writer has pre-empted the topic of American currency, if we may use the expression, but in a way which still leaves upon him the burden of justifying his claim to the position of an authority upon the subject.

We must add, in conclusion, that Professor Sumner has done an important service in appending to his History the English Bullion Report of 1810, with a statement of the events which led to it. He has thus brought within easy reach of the public a document which

must always remain one of the most valuable contributions ever made to the investigation of the subject of currency, and is rarely quoted without respectful deference, save on the floor of Congress.

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2. — *Théophile Gautier, Souvenirs Intimes.* Par Ernest Feydeau. Paris: E. Plon. 1874.
Histoire du Romantisme, Suivie de Notices Romantiques, etc. Par Théophile Gautier. Paris: Charpentier. 1874.

The admirers of Théophile Gautier will be pleased to hear that a well-earned honor is to be bestowed on his literary remains. The immense number of short articles — criticisms, *feuilletons*, sketches, notices — scattered through the newspapers and magazines in which he earned his daily bread are to be gathered into volumes and given to the world under an intelligent and sympathetic editorial supervision. Two volumes have already appeared: one entitled *Les Jeunes-France*, the second and more important baptized for the occasion as we have indicated. We ourselves rejoice greatly in this undertaking, for we confess to a peculiar and, in its nature, almost inexpressible kindness for the author of the *Voyage en Espagne* and *Emaux et Camées*. His writings present themselves with such modest pretensions that it is easy to underestimate them. He wrote from day to day, from hour to hour (in the morning paper and the evening paper), his exquisite prose, flanked on one side by the telegraphic gossip of the Agence Havas, and on the other by the advertisement of the Révalescière Dubarry. His work was a lifelong, ceaseless, restless improvisation, and his themes for the most part, at best, but a nine days' wonder. And yet it may really be said of him, that he has hardly written a line that is not worth reprinting. We never read ten consecutive lines from his pen, — tossed off though they may have been on the most trivial occasion, — without feeling irresistibly charmed, without seeming to hear the tread of the Muse, if in but a single footfall. Gautier was blessed with a perception of material beauty so intense and comprehensive that he was unable to write five lines without creating a lovely image or ministering in some odd fashion to the delight of the eyes. Art was his divinity, and he worshipped her by example as well as by dogma. He forged himself, at the outset of his career, a perfect style, and his lavish application of it has always reminded us of the conduct of the heroes of old-fashioned romances, who pay their debts by breaking off a bit of their gold chain. Gautier paid out his chain, as it were, in larger and smaller pieces, but the

fragment, whatever its size, always contained a portion of the original metal. For many minds — minds of an ascetic and utilitarian temper — he will always have a limited interest, or rather an unlimited repulsiveness; but for the happy majority, as we imagine it, who are blessed with an eternal relish for the pictorial, whether rendered by the pen or by the brush, this projected complement to his published volumes will give a larger outline to his genius. As we recede from him with the lapse of time, and his figure is lighted by this intensified glow, we more freely perceive how rare and perfect a genius it was. Nothing probably is easier than to exaggerate Gautier's merits, or rather to pervert his claims; but to our sense we should lose more by making light of them than by commemorating them in unstinted measure. In his own way, Gautier was simply perfect, and we have had not many great talents in these latter years of whom the same can be said. Few have been so wholly of one piece, of so unmingled a strain; so pure, compact, serene, so in tune with themselves. This was the case with Gautier from the first, and there is something extremely respectable in the way in which through forty years of possible intellectual corruption he preserved the beautiful unity of his inspiration. He had an extraordinary intellectual simplicity. The late M. Feydeau, in a volume of *Souvenirs Intimes*, painfully compounded of triviality and pretentiousness, has attempted to render his friend the cruel service of establishing the contrary. He talks of him as a great thinker and a profound scholar. M. Feydeau's indiscreet adulation will provoke a smile in those who have breathed the atmosphere, so unweighted with a moral presence, so unstirred by the breath of reflection, which pervades equally our author's most ardent verse and most deliberate prose. Gautier's simplicity is his alpha and his omega, and the all-sufficient explanation of much that, in a complex nature, would have savored of offence. He never judged morality; he knew no more about it than a Fiji-Islander about coal-smoke. His sole mission in the world was to make pictures, and he discharged it with a singleness of sympathy which even his possibly more spiritualized ghost will shudder to see his posthumous eulogists attempting to discredit. His pictorial faculty was unsurpassed; he was one of the first of descriptive poets. This surely is glory enough, and in the very interest of refined enjoyment we protest against all extension or qualification of it. For it is not in the least paradoxical to say that Gautier would have been a much less estimable writer if he had been in the least a more edifying one. Nature had furnished him with an unequalled apparatus for æsthetic perception and verbal portraiture, and she had attempted, in the intellectual line, to do nothing

else. To preserve the balance she had contented herself with giving him an imperturbable moral amenity. Those who have read to any purpose the *Voyage en Espagne* and the *Capitaine Fracasse*, to say nothing of that tremendous monument of juvenile salubrity, *Mademoiselle de Maupin*, in which the attempt to seem vicious is like a pair of burnt-cork mustaches smirched over lips still redolent of a mother's milk, will know what we mean when we say that Gautier is almost grotesquely *good*. His temperament is as full of *bonhomie* as his imagination of refinement. He occasionally pointed a period with a dash of sarcasm; but such a missile, in his hands, did execution hardly less gentle than a feather pillow. This almost helpless-looking moral simplicity and benignity in Gautier, as it shows in union with his lifelong appeal to all the delightful material influences of life, is the source of that part of our good-will for our author which we just now called inexpressible. In one's admiration for him, in this spirit, there is something of compassion. He seems to be, in a manner, the unretributed sport of Nature. He gives her all his attention, his love, and his zeal; year in and year out he gazes at her, waits on her, catches her every image and mood and tone; and she, sitting there in her splendors and seeing herself mirrored in a style which never ceased to develop till its polished surface had reflected her from head to foot, never drops into his conscience, by way of reward, a single vivifying germ; never by her grateful breath transforms him for a day from the poet who merely observes and describes into the poet who conceives and creates. All this, to our sense, if we are not over-fanciful, gives Gautier an odd sort of isolated, unsupported, unfriended air in the midst of the beautiful material world to which he spent his life in paying exquisite compliments. We do not really react upon natural impressions and assert our independence, until these impressions have been absorbed into our moral life and become a mysterious part of moral passion. Poor Gautier seems to stand forever in the chill external air which blows over the surface of things; above his brilliant horizon there peeped no friendly refuge of truth purely intellectual, where he could rake over the embers of philosophy, and rest his tired eyes among the shadows of the unembodied.

M. Feydeau was, according to his own account, for many years an intimate friend of Gautier and the confidant of his most personal pleasures and pains. It was his habit to take notes during this period of all noteworthy incidents, and he aspires in his little volume to play the part of a miniature Boswell. Unfortunately, we get a more lively sense of M. Feydeau's own personality than of that of his weightier friend; and we may say in parenthesis, and without an infraction of

charity, considering on this and on other occasions the frankness of the author's self-exposure, that a less attractive personality has rarely sought to exhibit itself in literature. His volume, however, reminds us pertinently enough of the intellectual atmosphere in which Gautier lived and worked. It was an atmosphere which imperiously urged all who breathed it to the cultivation of the picturesque in some form or other, — painting or the drama, the *feuilleton* or the novel. "Art," says M. Flaubert, was his friend's master-passion : his life was passed in the zealous appreciation of clever pictures and new plays ; in going from the studio to the theatre and from the theatre to the printing-office. There have doubtless been circles far more prolific in valuable generalizations about art, — circles in Berlin and Düsseldorf, in which the philosophy of the matter was opened up in a far more abysmal fashion over pipes and *Schoppen* any night in the year ; but there has probably been in our time no more exquisite and penetrating a sentiment of the subject than was to be found in the half-Bohemian *coterie* of which M. Feydeau's "Théo" was the high-priest. From this *coterie* every human consideration not immediately bearing upon some possible artistic interpretation of sensuous pleasure seems to have been unanimously excluded. "Politics" were religiously tabooed, the sense of the company being unexceptionally that producers in their line should have a good strong money-spending, picture-ordering government to take care of them and guard them well against the rising tide of democracy and utilitarianism, but never be bothered with principles and details. When, on the close of the war (which brought to Gautier a good deal of personal misfortune), he has occasion, like any other good citizen, to treat his friend to a little talk (very sensible talk) about the prospects of France, the duties of Frenchmen, and the question of the "*revanche*," he thinks it necessary, according to M. Feydeau's report, to make an elaborate apology for venturing upon such unfamiliar ground, even in the freedom of a *tête-à-tête*. But perhaps the strongest impression we get from M. Feydeau is of the uninterrupted laboriousness of our author's career. Gautier was to the end a poor man. His exquisite literary work, though relished by the delicate of taste all over the world, never procured him anything but a decent subsistence. He could never treat himself to that supreme luxury of the artist, — the leisure to do a certain fine thing to please himself. He was chained to the newspapers ; to the hour of his death he was hammering with his golden mallet on the resonant anvil of the daily press. His vivid images, his charming fancies, his wealth of color and metaphor and perception, his polished perfection and unerring felicity of style, through all of which, as we read, there seems to circulate

such a current of joyous spontaneity and leisurely appreciation, were to the writer's own sense all mere daily drudgery, paid for by the line, — the goaded effort of a mind haunted by visions of hungry mouths and unpaid bills. In this daily pressure of labor and need, it is immensely to Gautier's credit that he never, for three words together, was false to his own rigid literary conscience. The work, under the spur, was not only done, but perfectly done. It was often done in the printing-office on the edge of a smutted table, with a dozen people talking; but there is never a case in which the reader of the finished article is not free to fancy it may have been excogitated in luxurious leisure, amid the fumes of a perfumed pipe, by a genius in a Persian dressing-gown reclining under a bower of roses. The conjunction of Gautier's hurried, overworked, oppressed manner of life with the indescribably exquisite, chiselled quality ("chiselled" is the word that always comes to us) of his prose, is one of the interesting facts of literature. It is just such a fact as the Academy was bound to take cognizance of, but he knocked more than once in vain at the door of rusty hinges; it remained his privilege to complete, with Balzac and Madame Sand for his companions, the trio of the great excluded imaginative writers.

We should like to quote, for curiosity's sake, a few lines from a letter of M. Gustave Flaubert, the author of *Madame Bovary*. M. Flaubert was an intimate friend of Gautier, and M. Feydeau prints a note received from him at the time of the poet's death: —

"Je ne plains pas notre ami défunt. Au contraire, je l'envie profondément. Que ne suis-je à pourrir à sa place? Pour l'agrément qu'on a dans ce bas monde, autant s'en aller le plus vite possible. Le 4 Septembre a inauguré un état de choses qui ne nous regarde plus. *Nous sommes de trop.* On nous hait et on nous méprise. Voilà le vrai. Donc, bonsoir! Pauvre cher Théo! C'est de cela qu'il est mort (du dégoût de l'infection moderne). C'était un grand lettré et un grand poëte."

M. Feydeau gives his friend's letter with the reverse of an invidious intention, but its effect is the same as that of his own reflections throughout his volume when he quotes himself or speaks *in propria persona*. Gautier's younger comrades are a corrupt generation, and their arid cynicism only serves to throw into relief the admirable geniality of the elder writer, — the happy salubrity of a temperament which could spend forty years in the lap of tendencies predestined to all manner of ultimate morbid efflorescence, and yet preserve its sweetness to the end. MM. Feydeau and Flaubert, M. Dumas *fils*, and a dozen others are the dregs of a school, — the running to seed of the famous generation of 1830. Gautier had the good fortune

to belong to the elder race, and to enjoy the good health which, if it came from nothing else, would come from his being original. The second of the volumes which serve as the text of our remarks may be regarded as his contribution to the history of that extraordinary literary revolution. A "History of Romanticism" is a rather ambitious title for what is hardly more than a string of picturesque anecdotes and reminiscences of the author's early comrades, reinforced by a series of obituary notices of the veterans in the grand army, published as they dropped one by one out of the march. But it was to the picturesque side of the movement of 1830 that Gautier was especially attached, and its hundred outward eccentricities could not have found a more sympathetic and amusing chronicler. The great flood-tide which, with the coming in of Louis Philippe, detached from their immemorial anchorage so many of the old divinities and dogmas in French art and letters has, by this time, wellnigh subsided; has, in fact, in great part retreated into various quiet coves and corners, under watch of the declining star of genius which has earned its rest. But it behooves us to remember well what a mighty tide it was, and what a wondrous work it achieved. The eighteen years of the reign of Louis Philippe were certainly, for art and letters, one of the great moments of the human mind, and quite worthy, proportions observed, to rank with the age of Pericles, the age of Elizabeth, or the Florentine Renaissance. It offers a splendid list of names, as Gautier here strings them together: "Lamartine, Victor Hugo, Alexandre Dumas, Alfred de Musset, George Sand, Balzac, Sainte-Beuve, Auguste Barbier, Delacroix, Louis Boulanger, Ary Scheffer, Dévéria, Decamps, David d'Angers, Barye, Hector Berlioz, Frédéric Lemaître, and Madame Dorval." He omits Prosper Mérimée, Michelet, and himself from the writers, Horace Vernet from the painters, and Mademoiselle Rachel from the actors. All these great talents worked together, lived together very much, and had a multitude of common passions, hopes, and aspirations. They were young and poor, and conscious of their strength; all herded together in the attics and *entresols* of a brilliant, inspiring capital, and inflamed with a generous comradeship as well as with artistic ardor. The band of the young *romantiques* had its wild oats to sow, and it scattered a plentiful crop; but English readers, in judging the explosive temper of this Parisian *Sturm und Drang*, must remember how long art and letters in France had groaned under the weight of inanimate tradition. Literature was like Sindbad the Sailor with the Old Man of the Sea on his back. It resorted naturally enough to the most frolicsome pace and most fantastic gambols to unseat the monstrous incubus. Gautier says, in all but perfect earnest, that the

old French theatre contained but two picturesque lines. Corneille had risked

"Cette obscure clarté qui tombe des étoiles."

And in Molière's Tartuffe Cléante had remarked that

"La campagne à présent n'est pas beaucoup fleurie."

To protest against the uniform grayness of classicism, it seemed to Gautier himself but half enough to write the glowing pictorial scenes of *Albertus* and take the liberties of *Mademoiselle de Maupin;* to be consistent, he thought it proper to let his hair grow down to his waist, to wear yellow Turkish slippers in the street, and to go to the first representation of Victor Hugo's *Hernani* in the crimson waistcoat which afterwards became legendary. He gives in the present volume the history of the crimson waistcoat, disentangled from legendary perversion, and informs us that the garment in question was composed of the finest scarlet satin and was laced behind like a woman's corset. Of information of this calibre the present chapters are largely composed; they make no pretensions to being a philosophic history. Philosophy, indeed, was so scantily represented either at that or at any period in the career of literary romanticism, that we wonder, as we think of it, whence came the saving discretion which kept it from submersion in its own excesses. All the intellectual force of the movement seemed concentrated in a passionate sense of the "plastic," — of a plastic which should especially embody color. But all this unballasted æstheticism gives one a lively idea of the quantity of clear genius diffused through the group. The intuitive, instinctive side of art was magnificently exemplified. In spite of the lightness of Gautier's treatment of his theme, his chapters may provoke a good deal of serious reflection. The list of the romanticists who drew the prize and grasped the laurel is very short, compared with that of their innumerable comrades who, as the French say, never "arrived." Gautier's allusions to these abortive careers are rather melancholy reading: so many were called, and so few chosen; so many were young and ardent and confident, and so few, relatively, lived and matured to exchange the young confidence for the old certainty. But we see here, as in the history of every important intellectual movement, that the failures fertilized the soil for success, that nothing great is done without a school, and that to produce a hundred finished masterpieces there must be ten thousand vain attempts. However many the masterpieces, it is always a pity there are not more; but one must nevertheless pronounce happy in its day the generation which, while the verdict was yet in abeyance, cared so universally and ardently to win

the good cause. We have had great pleasure, we may say in conclusion, in reading the last division of the present volume, the *Tableau des Progrès de la Poésie Française depuis 1830.* The work was drawn up by request of the Imperial government with a series of cognate reports from other hands on the occasion of the Exhibition of 1867. It was perfectly in character that it should be "genial," and the place of criticism is kept throughout by exquisite, sympathetic, and, in the literal sense of the word, imaginative description. It is not often, we suppose, that in a government report one stumbles on such a passage as these lines upon Théodore de Banville : —

"La chaste pâleur et le contour tranquille des marbres ne suffisaient pas à ce coloriste. Les déesses étalaient dans l'onde ou dans la nuée des chairs de nacre, veinées d'azur, fouettées de rose, inondées de chevelures rutilantes au ton d'ambre et de topaze, et des rondeurs d'une opulence qu'eût évité l'art grec. Les roses, les lys, l'azur, l'or, la pourpre, l'hyacinthe abondent chez Banville ; il revêt tout ce qu'il touche d'un voile tramé de rayons, et ses idées, comme des princesses de féeries, se promènent dans les prairies d'émeraude, avec des robes couleur du temps, couleur du soleil, et couleur de la lune."

H. J., Jr.

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3. — *Archibald Constable and his Literary Correspondents.* A Memorial by his Son, Thomas Constable. Edinburgh : Edmonston and Douglas. 1873. 3 vols.

Sir Walter Scott in one of his letters, speaking of the publication of Lord Orford's Reminiscences, says : "It is like a man who should brick up a hogshead of cyder, to be drunk half a century afterwards, when it could contain little but acidity and vapidity." This expression of opinion was not remembered by Mr. Constable when he published the three volumes before us. Some of the details contained in them might have been interesting if given to the world forty years ago, or embodied in a pamphlet after the financial crisis which ruined his father's house in 1826. The list of Mr. Constable's literary correspondents contains nearly every name of eminence amongst his contemporaries ; but in the notices of their lives, and the letters they wrote, there is little that adds to our information, or enables us to realize more distinctly who or what they were.

Archibald Constable, to whom the greater number of these letters are addressed, began his career as apprentice to Mr. Hill, an Edinburgh bookseller, in 1788, and commenced business on his own account in 1795. In 1804 he concluded a partnership with Mr. Alexander Gibson Hunter of Blackness, whose letters are far the most amusing

in this collection, and present a curious picture of the hospitality of the men among whom he lived. As one Cabinet minister of this century owed his position to the excellence of his dinners, Mr. Hunter's qualities must not be underrated. We know nothing equal to the feat described in the following quotation, unless perhaps it be the record of Porthos's achievements when he dined with Louis XIV. "Our turtle dinner," writes Mr. Hunter on the 30th of August, 1804, "turned out admirably well. I cut a most distinguished figure; ate seven plates of calipash and two of calipee, besides about three of the fins. We had four kinds of Madeira and claret till half past eleven." Assuming the dinner to have begun at six, this seems a most masterly performance, undertaken, too, without recourse to the means adopted in classical times for the relief of the digestion. The succeeding month Mr. Longman, who was the London agent for the sale of the "Edinburgh Review," was Mr. Hunter's guest in Forfarshire, and during a good drink where "nobody was completely pounded," "did very well." The London publisher was, however, a weak subject, and was obliged to take to his bed a short time after, his powers being summed up by his host as follows: "These Englishers will never do in our country. They eat a great deal too much and drink too little; the consequence is, their stomachs give way and they are knocked up of course." From a later letter we gather what amount of drink was requisite for the purposes of digestion: "Yesterday Maule and Charles Hay came here along with us and stayed till near three this morning, — a terrible drink, — three bottles claret per man, besides punch, etc., after supper. I do not think I ever was in so good order as at present. I have seen everybody a stage past me, and asleep each night, and I am this day better than ever. Maule pounded each night, though none of them totally." In 1806 the climax is reached: "We had a most dreadful day at Brechin Castle, one of the most awful ever known even in that house. What think you of seven of us drinking thirty-one bottles of red Champagne, besides Burgundy, three bottles of Madeira, etc., etc.? Nine bottles were drunk by us after Maule was pounded." On this occasion Murray, the London publisher, was indiscreet enough to challenge the Scotch portion of the company, and we naturally hear of his being very unwell, and "physicked." If we take into account the etc., etc.'s, the above evening may be looked upon as a great field-day in carousing, the memory of which in these degenerate days may serve as the record of some high flood to perpetuate a stupendous effort of nature.

In 1807 Mr. Hunter writes from London, where he does not seem to have been impressed by the House of Commons. Mr. Thomas

Grenville he thought a "most tiresome drunt"; during his speech he went to sleep, and afterwards arrived at the conclusion that he would not be an M. P. for £ 1,000 a year. The House of Lords pleased him more, the Peers being so truly noble looking and finely dressed, and their manners so refined and polite : the Commons appearing but trash in comparison. If these were Mr. Hunter's impressions in 1807, what would they be now after the Reform Bills of '32 and '67? The partnership was dissolved in 1811, and Mr. Hunter retired with a gain of £ 21,000. In the following year he died. Those who are conversant with Lockhart's Life of Scott need not be told the further fortunes of the firm of Constable, and the history of its difficulties and embarrassments until its collapse in 1826. Archibald Constable had unlimited confidence in his own judgment, great kindliness of disposition, an overweening trust in his own resources, combined with most unbusiness-like habits. His correspondents are always complaining that their letters have remained weeks and months unanswered, and Sir John Leslie, in one of his letters, alludes to what was no doubt a special characteristic of the publisher. "When I saw Barrow's miserable book on the Arctic voyages, I was tempted to make a proposition to you through Cadell; but you seemed to listen to it coldly, as I find you generally do to all projects which do not originate with yourself." When we find chapters devoted to men such as Campbell, Leyden, Ritson, Godwin, Lord Jeffrey, James Mill, and Washington Irving, we naturally look for letters of interest or anecdotes of value. It seems impossible that they should be able to write so many pages without a spark of brilliancy, and be so dull, even though the subject be business. Campbell is chiefly anxious about the payment of an annuity to his mother; Godwin, about the apprenticeship of a son of his wife; Sir John Leslie wants to be employed at two guineas a day while he visits manufactories in England and on the Continent. In fact, the whole collection is one which, though possibly full of interest to the family of the man who received the correspondence, is of far too limited a character to be given to the public. Nobody cares whether Loo Choo still belongs to Captain Hall, or how many copies of the Encyclopædia will go off within four years. We have complained before of the reckless manner in which volumes of no permanent value are thrown upon the market, and it is with horror that we learn that no less than 3,463 new books were published in England during the year 1873. We shall no doubt be given soon a detailed account of the Duke of Wellington's appointments with his dentist, and fac-similes of all the checks he drew upon his bankers. Old anecdotes are quoted without acknowledgment, and Walpole's, Selwyn's,

and Beckford's gossip reproduced to suit nineteenth-century actors. What possible object is served by the publication of a letter such as the following? We can well believe that the Constable family had its share of the infirmities of human nature, and that at the age of seventeen, David, the eldest boy, was frequently in want of money.

"My dear Grandfather: — You will no doubt guess the object of this letter when you recollect that yesterday was Christmas day, and I hope you will be liberal enough to send me as soon as possible — dat bis qui dat cito — a two-pound note or as much more as you please, as I have no one but yourself to apply to, and consequently if you don't comply I must go without. I want a little money very much.

"D. C."

As a precedent for the use of future applicants this is quite useless, for the ability to ask for money is one of the few qualities innate in and coeval with mankind, transmitted through many generations and refined by constant practice. To justify the insertion of a letter like this, when printing is no longer in its infancy, the career of the writer should depend upon the success of his application. If David Constable had been refused £ 2, had in consequence run away from Scotland, and decided by a brilliant charge the battle of Waterloo, we might forgive the introduction of similar details. The whole of the third volume is devoted to Sir Walter Scott, but all the letters of any importance have been already given to the public by Mr. Lockhart in his Life. If any new light is thrown, it is only upon the expedients employed in raising money, and the embarrassments of the London agents of the Edinburgh house. Sir Walter's introduction to Archibald Constable took place about 1800, and it was in January, 1807, that the publisher offered a thousand guineas for "Marmion." In 1805, Sir Walter entered into partnership with the Ballantynes, with what success readers of Lockhart will remember. To have a connection with the "monarch of Parnassus" was the hope of every publisher. Mr. Cadell writes to his partner, saying that he found "the lion in his den very busy; he is in great spirits, and I do think we stand very well with him, and bid fair to retain the place we hold!" Though insurances had been effected upon his life, Sir Walter's condition of health was watched with solicitude. In these letters the genial humor and universal variety of his mind are wholly lost sight of: we have only a writing-machine which contracts debts and pays them, draws bills, requires accommodation, and makes bargains. The publishers knew that as long as a book bore the name of Sir Walter on the title-page its sale was secured. "A work under the title of Pocahontas would make the fortune of us all," writes Con-

stable; while Robert Chambers expresses his opinion that, if he were to write a description of the second-last new moon, the book would be a good book, and would sell. Sydney Smith, in the middle of a criticism, owns that Scott's worst novels are better than the successful productions of other authors. The correspondence between Constable and his London agents, Messrs. Hunt and Robinson, fills up the latter part of this volume. When Constable announced his intention of issuing a cheap form of the Waverley Novels in numbers, it was not unnatural that the London firm, who held £ 40,000 stock of the works of the author of "Waverley," should take alarm. In the following month, however (October, 1825), the storm had begun, and, in spite of all Mr. Cadell's efforts to raise money, was soon to prove fatal. Archibald Constable remained in Edinburgh until the 13th of January, when, owing to the solicitations of his partner, he went to London. His presence was of no avail, and on the 16th it was known that Hunt & Co. had dishonored a bill of Constable's. In these details there is no fresh information, and all that the publication of this correspondence can be hoped to effect is some slight difference in the apportionment of blame; as a literary scrap-book, this memorial possesses little merit, and we leave with the impression of having read a disjointed biographical dictionary. When Miss Austen's Life was written the other day, we were at least told what was the considerable sum given by Mrs. Norris to her nephew William,—a piece of information which, to collectors of Austeniana, would have justified the issue of a folio. The editor might have remained contented with Sir Walter's epitaph upon his father's house: "Never did there exist so intelligent and liberal an establishment: if every author in Britain had taxed himself half a year's income, he should have kept up the house which first broke in upon the monopoly of the London trade, and made letters what they now are." No purpose, as far as we can see, has been served by letting in more light upon the ties which existed between Sir Walter and his publishers. In the memorials of Lord Cockburn there is a passage written in 1838, which is still more applicable now. Speaking of the last volume of Sir Walter's Life, he says: "The world has now been taught how much he was a tradesman, even in the exercise of his literary genius; and how much less he valued fame and literature than those results of them which enabled him to exercise an intellectual and splendid hospitality." It will be long, we fear, before the book-makers of the present day learn that there are many details in the lives of even those whom we most reverence and honor which should be allowed to rest in undisturbed privacy.

4. — *Handbuch der Römischen Alterthümer von* JOACHIM MARQUARDT *und* THEODOR MOMMSEN. Vierter Band. *Römische Staatsverwaltung von* J. MARQUARDT. Erster Band. *Organisation des Römischen Reichs.* Leipzig: Verlag von S. Hirzel. 1873. 8vo. pp. 524.

SOME months ago* we called attention to the first volume of this new treatise, which is intended to take the place of the old Becker-Marquardt *Handbuch.* The fourth volume has now made its appearance, and the second is announced as in the press. It is announced further that the other divisions of the *Verwaltung* — namely, Finance, Military System, and Worship — will compose the fifth and sixth volumes, as the other divisions of the *Verfassung* will compose the second and third.

The portion of the Becker-Marquardt *Handbuch,* whose place the present volume is to take, was, when published, a very complete and meritorious treatment of a very difficult subject. As the editor says in his Preface, it was a "daring undertaking, for which there existed neither adequate materials, nor previous works covering the same ground." In spite of these defects in the nature of things, it has been perhaps the most useful portion of the entire work, for the very reason that it contained what the student could find nowhere else in so complete and well-arranged a shape. It is fairly entitled to the credit of having prepared a sound foundation for further scientific treatment; and if the progress of scholarship has made it now out of date, this very progress is very largely its own work.

In truth, there is no department of antiquities proper in which our knowledge of facts has received so large additions as this. The revolution wrought by Mommsen in the theory of the Roman Constitution — set forth in the first volume of the *Staatsrecht* — was based for the most part on well-ascertained facts and threadbare citations from ancient authors; out of this old material the man of genius has created a wholly new science. But in the field of administration it was the facts that were wanting, and these have been abundantly supplied by the rapid growth of epigraphical material. Marquardt's previous treatise, *Italien und die Provinzen,* was published in 1851; it has been chiefly since that time that the epigraphical labors of Mommsen, Hensen, Waddington, and others have been carried on, and they have contributed stores of knowledge in every department of this field. At that time only one difficult branch of the subject

* See North American Review, April, 1873.

had been thoroughly examined and placed on a sure foundation; this was the Roman colonial system, which was first explained by Madvig and Zumpt. In that very year, 1851, the famous bronze tables of Salpensa and Malaca were discovered, — of course too late to be used in preparation for the work, as they were not published until 1853, and it was in 1855 that Mommsen's commentary upon them appeared. This did for the municipal system of the provinces what Madvig's treatises did for the colonial system; in 1860, Mommsen's *Geschichte des Römisches Münzwesens* fixed one or two other points in the discussion. In 1852 appeared the second volume of the *Römische Feldmesser*, in which the treatises of Mommsen, and especially of Rudorff, first made the land system of the Romans intelligible and clear. And in 1864–65 came Kuhn's great work, *Die Verfassung des Römischen Reichs*, working up the new material with great thoroughness, and presenting a mass of results which Marquardt, in this new edition, simply accepts and reproduces. The work done upon the Monumentum Aucyranum and upon the great series of Roman jurists — in both which works Mommsen has taken a leading part — have added no small amount of valuable material. Many other of Mommsen's writings, especially occasional passages in his History, have helped develop special points.

It will be seen, then, that this must be essentially a new work; and we will proceed to point out the chief points in which it differs from its predecessor.

An Introduction, of sixteen pages, entitled *Die Städtischen Gemeinden*, consists of almost entirely new matter, — the fundamental principles of the city organization of antiquity, which was a natural growth in the Greek and Italian communities, and artificially created, as an aid to administration, in those countries, like Gaul and Spain, where it did not before exist. The short passage in the early edition (pp. 51–55), which treats of the various classes of towns, is corrected and made simpler, by showing that there were really but two grades, — the *civitas* (municipium, colonia, præfectura), and the *vicus* (sometimes called castellum), which, with its territory, formed an integral part of the civitas. The two other terms, *forum* and *conciliabulum*, which were before said to designate an intermediate class, are now shown to indicate rather a transitionary state. The original division of the territory was into *pagi* (the German *Gau*), and the forum or conciliabulum was the gathering-place for a group of such districts, which were on their way to a city organization. By the close of the Republic, *pagus* had become a mere territorial expression, with no political character, and the fora and conciliabula corresponded, in the

less advanced communities, to the fully developed civitates. Each of these classes had a certain degree of self-government, but none were really autonomous except the highest, whose several territories appear collectively to have covered the whole extent of Italy.

The treatment of the several classes of Italian cities, the coloniæ and municipia, contains, as we have already remarked, comparatively little new, at least for the republican period; the institutions of the Empire, however, and the various changes through which the later division of Italy into seventeen provinces was reached, receive much new light. The change consisted in two processes, — placing Italy on an equal footing with other parts of the Empire, and reducing the whole under the absolute authority of the emperor. It began even with Augustus, in the division of Italy into eleven regions, for certain administrative purposes. In the second century there followed a judicial organization of Italy, which — taken in connection with the changes already accomplished — placed the entire administration of justice, above petty police matters, in the hands of the emperor and his immediate officials. The præfect of the city had already superseded the prætors in criminal cases in the city (including the territory within a hundred miles): now the præfect of the prætorium had charge of these in all the rest of Italy, while civil cases in this same territory were assigned to five *juridici*. Thus the municipia lost all independent powers of judicature, and retained only rights of local administration. Soon the most important of these too were lost, and in the third century a system of governors, called *correctors*, was introduced, who had almost precisely the same powers as the governors of provinces; the ancient free cities of Italy were now assimilated to the rest of the Empire, and, by Diocletian's provincial organization, the transformation was made complete.

The survey of the provinces, which follows, occupies much the largest part of the volume, — being 328 pages; here the changes made are only in matters of detail. The important chapter upon the provincial organization and government is materially enlarged and improved; the most important special point made is in the classification of the native cities which were exempted from the authority of the provincial governor. In the earlier edition these are classified as *civitates fœderatæ*, *liberæ*, and *liberæ et immunes;* in the present edition it is shown that there were strictly only two classes, that freedom without immunity was only an exceptional and transitory condition.

The closing chapter, upon the municipal constitution, has received the most extensive alterations, and is to all intents and purposes a

new treatment, based upon the investigations of Mommsen, Rudorff, and Kuhn, and especially upon the revelations of the Tables of Salpensa and Malaca. To present the substance of this important chapter would, however, require more space than we can give. It embraces the entire land system and colonial system of the Romans, — so far as this was not covered by the classification of the earlier chapters, and the system of municipal self-government which prevailed in the cities of the Empire.

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5. — *The Logic of Hegel.* Translated from the Encyclopædia of the Philosophical Sciences, with Prolegomena. By William Wallace, M. A., Fellow and Tutor of Merton College, Oxford. Oxford : At the Clarendon Press. 8vo. pp. clxxxiv, 332. 1874.

Hegel is generally looked upon as the champion of *a priori* metaphysics, founded on notions, as opposed to the inductive method, beginning with facts, real things, which do not depend upon us for being what they are, and to which we can recur at need for the verification of our conclusions. It is easy, however, to see that the contrast is a doubtful or false one ; and that our facts as well as our conclusions are the products of reasoning, and must be verified in the same way if they are to be verified at all. For the meaning of the fact, the information which the name conveys, resides, as Mr. Mill says, not in what it *denotes*, but in what it *connotes*, i. e. in what the thing has in common with other things ; and this information is not obtained from simple observation, but from comparison and reflection : it is the work of the mind, not the *datum* of sense. The words *man* or *white* are not the names of particular sensations or of things *sui generis*, but of *kinds*, and our knowledge of individual objects in all cases implies a prior apprehension of the kind, as the standard whereby the thing is identified.

In short, as a matter of fact, knowledge begins with notions, and the only question is whether we will ignore this *a priori* foundation of our experience, because it does not suit our theory that notions are abstractions from particular truths, or whether we will endeavor to understand it. The carpenter, when he undertakes to drive a nail, feels a complete assurance that it will penetrate the wood, and not bend up like putty. What is the ground of this assurance ? Not actual experience of this nail and this bit of pine, for he has no such experience, and does not suppose that he has any. What he feels sure of is the *nature* of iron and of pine wood, as the conditions of

his past experiences and of any future ones. He does not begin by knowing a particular case and then transferring his information to a new case of which he knows nothing, but his knowledge of the particular is the knowledge that it is not a particular but a universal, — an *instance* of what will always be true under like conditions.

Induction is commonly defined as the inference that what is true of individual instances is true of the class. But to know of a given fact that it is an instance, is to know what it is the instance of, namely, the class. We start with the generalization which we pretend to derive from our experience. A nail means a thing that will penetrate wood; I do not know it to be a nail without knowing that property; the conclusion, Nails will penetrate wood because they have done so in this, that, and the other case, is either a blunder, the confusion of one fact with another, or else it is a mere matter of form; all the information it contains having been taken for granted in the statement of the terms. It is certainly worth while to consider how we get that information. If from experience, then we must either consider experience to be itself a faculty of inference, and therefore a part of logic, or else we must resign ourselves to Hume's view, that what we call experience is in reality a propensity to irrational assumptions, and that if we believe that fire warms or water refreshes us, it is only because it costs us too much trouble to think otherwise.

The Experience philosophy gets over the difficulty by the expedient of "self-evident truths," i. e. by postulates. When Mr. Mill tells us that nearly the whole, not only of science, but of human conduct, is amenable to the authority of logic, we must understand the exception as ultimately including all the *premises* of our reasonings. For these, he says, there is no logic; we get them "immediately," without reasoning, merely by feeling that they are true. But if this is enough, it is hard to understand the urgency with which the Experience philosophy insists that we shall admit nothing as true which is not proved, for of *this* evidence there can never be any lack. But neither Mr. Mill nor anybody else has ever thought it enough. In the case of another person, at any rate, all will admit that being ever so positive is no conclusive proof even as to a fact of his own immediate observation. We ask who he is, and whether he has the right to be positive; and if we do not always ask these questions in our own case, it is because we have already answered them to our own satisfaction. If he says, for instance, "A B has come to his end by violence: I know it because I see that he has received a mortal wound," it makes a great difference in the weight of his words whether he is a surgeon or not. It may be said, this is an inference,

not an immediate perception, and in speaking of it as a perception he is only speaking figuratively. So is every perception an inference if anything is perceived, and so we must consider Mr. Mill to be speaking figuratively when he speaks of immediate *knowledge*, for, as he himself says, in every act of so-called observation there is at least one inference, — from the sensation to the presence of the object. And it is this inference that gives reality to our experience and makes our waking perceptions to differ from vain imaginations and dreams. No doubt, perception *begins* with "facts of immediate consciousness," i. e. with impressions which we only feel but do not comprehend; but *knowledge* begins with the comprehension and interpretation of them, as the signs of objects whose nature it is to produce not merely these, but *such* impressions. This *nature*, in other words, the notion of the fact, as the condition of the appearances before him, is what the experience and observation of the surgeon have taught him, if they have taught him anything. To know a thing we must know more than that thing, we must know something of its properties and its relations to the universe. And we trust the impressions of our senses for just the opposite reason from that alleged by Mr. Mill, namely, because we are convinced that they are *not* immediate or unconditional; because they prove something; when they prove nothing more than themselves, we disregard them.

This is Hegel's contention. Nothing in heaven or on earth, he says, is immediate or unconditional, its own reason for being, or to be known apart, by itself; everything is conditional, determined in fact by its relations to the universe, and to be determined in knowledge by comprehension of these relations. There is nothing peculiar in this position, except the attempt to understand and to legitimate the assumptions which everybody makes and must make. The Inductive Logic does not really start from particulars, but from things having common names, i. e. from universal propositions about particulars; from notions. The difference is, that in the Experience philosophy the reasoning upon which the primary notions, or "*data* of experience," are founded, is supposed to have been somehow done to our hand, only needing to be accepted, not inquired into. Hence the deduction is a mere matter of form, in which nothing is really proved. Mr. Mill, e. g. in his book on Liberty, starts with the assumption that the universally desirable, or the right, is what people actually desire, and right because they desire it. Then it becomes very easy but very superfluous to show that our inclinations and desires are good in themselves and have rights of their own. But then, again, it is equally a matter of fact that they are nuisances unless they are regu-

lated by a due regard to the desires of other people. In other words, our universal was not a true universal, but only a generality, and cannot determine particular cases; so that we are landed in the not very edifying conclusion that there ought to be a good deal of liberty, and that society ought not to interfere with private conduct overmuch.

What Mr. Mill had the right to assume was that impulses and desires are, in a general way, natural and beneficent, and where they exist probably have some reason for existing; but further than this he could not go without showing in detail what the reason is and how our natural inclinations are to be made to conform to it. That, however, was impossible, because he had assumed at the outset that the desire is its own sufficient *raison d'être*. There being no better reason in the premises than existence, actual prevalence of the desire, there could be none in the conclusion. But the fact that I desire a thing, or that any number of persons desire it, is of itself no proof that it is desirable; it only gives the general presumption of some *better reason* in each case than the mere desire. In order to find out this better reason, however, we must first set aside our personal feelings and the feelings of those who agree with us, and inquire dispassionately how far what we wish for is truly desirable, and not merely desired by this or that person; that is to say, how far our facts are really premises for our conclusions. This is attempted in the principle of Utility, but only in form, because Utility is not a better reason, but only more of the same, an aggregate of desires, and cannot serve as a criterion to itself.

What Hegel attempted in like case was to carry his logic into the establishment of his *premises*, by showing that there is no such thing as a private or separate advantage; that our rights, as Burke said, must be limited in order to be enjoyed, not in order to save part by the sacrifice of the rest, but because it is a delusion to suppose that anything can really be an advantage to us which is at variance with the welfare of the community. It is through this perception, more or less distinct, that the vague and short-lived impulses of men take shape and continuity, and are realized as individual will and purpose; in other words, that we become men instead of creatures having the form but not the distinctive character of human beings. Without it the individual never really exists as such, never comes to himself as free, self-determined, and responsible for his own actions, but is swayed by mere generic impulses, and, however carefully we may keep our hands off him, is a slave wanting a master, and sure to find one.

We have here an example of the "dialectic process," whereby the

Notion realizes itself as the standard to which the facts must conform, — not through any violence done to them, but of their own motion. The business of Logic, in Hegel's view, is to reflect this living process whereby the particular is individualized and receives a name as a reality and an object of knowledge, in virtue of the universal nature which it serves to manifest. There is nothing arbitrary or arrogant in such a claim; it does not mean that things are to arrange themselves according to our notions of them; on the contrary, it means that the nature of the thing, as displayed in its history, is the law that determines it, and that we are not to erect our abstract conceptions into laws merely by making them final and stating them as universal propositions. It is not we, for example, who refuse to "take men as they are," and to leave them to themselves so long as they do not interfere with others, but it is their own nature that refuses; either as Conscience, if they are alive to it, or as Destiny, if they are not. We only look on, and, if we are wise, govern ourselves accordingly, without being imposed upon by the fact that the majority of men, perhaps all men, are selfish; or erecting this fact into the ultimate law of human nature.

The translation, Mr. Wallace says, "has tried to keep as closely as possible to the meaning, without always adhering very rigorously to the words of the original." The success of this attempt seems to us remarkably complete, and not at all diminished by the fact that many words and even sentences are to be found in the translation which are not in the original. Hegel had the ambition, which has, perhaps, been too piously respected by his followers and commentators, to be comprehensive and final rather than to be intelligible. But as the time for definitive statements seems not yet to have come upon this earth, the result has been that many persons who might have derived great profit from Hegel's writings have been disgusted and repelled. Mr. Wallace has done wisely in selecting for translation the Logic, which makes the first part of the "Encyclopædia," rather than the "Science of Logic"; for in the Encyclopædia, Hegel seems in general less tightly buckled in his systematic armor, and more intent upon explaining his ideas than upon the irrefragable presentation of them. Still, even here there are obscurities enough, and in a translation these have to be faced. Mr. Wallace has, we think, admirably hit the mean betwixt a literal version, which could help only a beginner, and a paraphrase, which might be demurred to by more advanced students. There will of course be differences of opinion as to the rendering of certain terms, but we have found no occasion to differ from Mr. Wallace as to the meaning of any passage,

and we have not been able to satisfy ourselves of the desirability, on the whole, of any corrections whatever. What we are quite clear about is the great value of his work, even to those who are familiar with the original, and we should not except the German Hegelians from the number.

His Prolegomena, Mr. Wallace says, "have not been given in the hope or with the intention of expounding the Hegelian system. They merely seek to remove certain obstacles, and to render Hegel less tantalizingly hard to those who approach him for the first time." Mr. Wallace probably wishes neither to dogmatize nor to be dogmatized over, but chooses to keep his hands free to clear the ground from misconceptions as to Hegel's philosophy, in any way that seemed best, and to bring it nearer to ordinary modes of thought and to the problems of the day; in short here, as in his translation, to introduce Hegel's ideas rather than his formulas. The short Vocabulary appended to the Prolegomena is a masterly discussion of the most important terms which recur in Hegel's writings, and the translation, from the necessity of the case, is a perpetual commentary as well.

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6. — *A Concordance to Shakespeare's Poems: an Index to every Word therein contained.* By Mrs. Horace Howard Furness. Philadelphia: J. B. Lippincott & Co. 1874. 8vo. pp. iv, 422.

The publication, in 1846, of Mrs. Cowden Clarke's "Concordance to Shakespeare's Plays" marked an era in the history of that voluminous and constantly increasing literature which his works have called into being. Then, as never before, did it become possible to make Shakespeare his own interpreter; for then, as never before, it became possible to make a minute and critical comparison of the phrases, words, and meanings of words to be met with in his writings. A marvellous book is Mrs. Clarke's Concordance. Its freedom from misprints in the text, and the exact accuracy of its multitudinous references, are wellnigh unexampled. But, great as its merits undeniably are, its title — "The Complete Concordance to Shakespeare" — is a gross misnomer; for it is evident that no concordance to Shakespeare can fairly lay claim to be considered "complete" which not only fails to take note of upwards of one hundred and seventy words occurring in his Plays, but which entirely omits his Poems. But now comes Mrs. Furness to make good — as far as she may — the regrettable deficiency in this *vade-mecum* of every Shakespearian student. She comes, too, with a volume by its "outwards so com-

mended," a volume so convenient in size and form, so excellent in paper, type, and press-work, that it may satisfy the demands of the most exacting connoisseur.

Shakespeare himself tells us that "through crystal walls the smallest motes are seen." If we proceed to offer some detailed criticism on the work before us, we wish it distinctly understood in advance, that, after all, we have discovered nothing but "motes." The essential accuracy and practical usefulness of the Concordance are not impeached, and are indeed quite unimpeachable.

Perhaps the first thing that will strike the eye of any one who opens the volume will be the unstopped abbreviations of the titles of the various poems to which numerical reference is made; as, "V A," "R L," "Son," etc. Now, usage and logic are the parents and upholders of punctuation. But the omission of the usual sign of abbreviation can be justified neither by the one nor the other. So far from thinking the omission to be in the best taste, we cannot but regard it as a positive eyesore. The case is a very different one from that of an inscription, where the endings of the lines and the local disposition of the parts serve to bring out the sense clearly enough, without resorting to the aid of points. In the present work, however, the title-page is, with curious inconsistency, partly punctuated, and partly not. It is worth noting, perhaps, that the abbreviation "Co.," in the imprint, has a period after it, while "Mrs," four lines above, is printed, *Scottice*, without one.

A similar blemish is found in the adoption of the old-fashioned plan of indicating, by means of an apostrophe, the silent *e* in the preterite tense and the past participle of certain regular verbs, such as *seem'd*, *look'd*, and the like. In former times, when the inflectional termination *ed* was customarily pronounced as a separate syllable, there was an obvious fitness in representing the suppression of the vowel by the use of this mark; but at the present day, when the general practice is a diametrically opposite one, the propriety of supplying the place of the vowel with an apostrophe is exceedingly questionable. We are aware that the Concordance follows "the text of the Cambridge edition, with the exception of some trifling deviations in punctuation," and we are also aware of the fact that that edition retains the *e* "when it is an essential part of the verb" (as in *love*), and substitutes an apostrophe "where the 'e' is a part of the inflection" (as in *touch'd*); but so far from thinking this to be a desirable "*via media*, which avoids metrical uncertainties on the one hand, and verbal ambiguities on the other," we regard it as little better than a mere vagary, or an example of orthographical trifling, which

we should certainly make all haste to "deviate" from. For, plausible as, at first blush, the rule may seem, we not only deny that it has any practical usefulness, but we consider it to be positively misleading, inasmuch as it makes no discrimination between the cases in which the *e* is silent, and those in which it is sounded. Thus, we continually meet with absurdities like the following (in the last two lines of Sonnet 4): —

> "Thy unused beauty must be tomb'd with thee,
> Which, used, lives th' executor to be."

What really good and sufficient reason can be given why "unused" and "tomb'd" — in both of which the *e* is mute — should be so differently represented to the eye? And why should "used" — in which the *e* is pronounced — be printed as if it were silent? We opine that the questions are more easily asked than answered.

As the Poems themselves are wisely appended to the Concordance, it will make no difference whatever to the consulter of the latter, that the references to "Venus and Adonis," "The Rape of Lucrece," "A Lover's Complaint," and "The Phœnix and Turtle" are single, or to the lines merely, while in the "Sonnets" and "The Passionate Pilgrim" they are double, being first to the individual sonnet or poem, and then to the particular line. It might be difficult, however, to assign a satisfactory reason for adopting two different methods of reference, when one and the same method would have been both more natural and perfectly practicable. We should have been glad if the stanzas in each of the four first-mentioned poems had been consecutively numbered, — a thing which has never been done, we believe, in any edition of them. But here again the Concordance closely follows the Cambridge Shakespeare.

The rule having been adopted of restricting the citations to the clause in which a given word occurs, we are at a loss to understand why so many lines, on almost every page, are given at full length. There would seem to be little or no typographical necessity for not adhering to the rule in all strictness; though, as to the rule itself, while there is much to be said in its favor, and while it is probably, on the whole, the best that could have been framed, there is still room for raising more than one objection to it.

The imperfections we have thus far noticed lie on the surface, and, though in our judgment they are worthy of attention and correction, they are still of comparatively small importance. A graver defect is the entire exclusion from the book of the Dedication of "Venus and Adonis," and the Dedication and Argument prefixed to "The Rape of Lucrece."

These — the only prose compositions of the author, not dramatic, which have come down to us — are as much part and parcel of the poems before which they stand, as a porch is a part of the house to which it gives admission. And not only so, but they are important for the contributions they afford to the language of Shakespeare. They do not, indeed, contain any words — except proper names — which are not elsewhere to be met with in the compass of his works; but a complete verbal census of that rich domain should certainly take account of such as are to be found in this portion of it. If one should rely on Mrs. Clarke's and Mrs. Furness's Concordances alone, he would conclude that the word "pamphlet" is used by Shakespeare only once (in 1 Henry VI. iii. 1), whereas it also occurs in his Dedication of the "Lucrece." Mrs. Clarke records the words "acclamation" and "invective" as each being used in a single instance in the Plays. Mrs. Furness admits neither of them into her vocabulary, though both are to be found in the Argument to the poem just referred to. Other illustrations hardly less striking might be given, but these may suffice.

In most of her deviations from the plan of Mrs. Clarke's Concordance, we think Mrs. Furness has shown a more sagacious judgment than her predecessor; but that she has done so in the matter of "various readings" we are by no means sure. While we admit that Mrs. Clarke's collation and citation of editions of the Plays were extremely meagre and unsatisfactory, — being confined to Collier and Knight alone, — and that they should either have been extended much further or retrenched altogether, we do not forget that the Poems are comparatively free from misprints, and therefore furnish so small a number of important lections that neither the task of the compiler nor the bulk of her work would have been materially increased by the insertion of all of them. That they would have given the book an additional and substantive value, we are confident. Take, for example, this clause, "the picture of pure piety," which is to be found in the editions of Knight, Collier, Halliwell, and White, — to name no others, — in "The Rape of Lucrece," stanza 78, line 3. In the Concordance the passage is not given under "pure." Looking under "picture" or "piety," we find the entry to be —

"the picture of *true* piety" R L . . . . . 542,"

in accordance with the reading of the Cambridge Shakespeare, which here, however, — notwithstanding the boasted purity of its text, — refuses to recognize the decisive authority of the *editio princeps* of 1594. In our view it would have been a decided and obvious im-

provement if the citation had been printed thus, "the picture of pure [true] piety," and had been entered under "true" as well as under "pure."

The utility of any work of reference must depend mainly upon its accuracy. This is the prime requisite. Of course, a certain percentage of error must be allowed for, but it should be the object of the compiler, first, last, and always, to reduce the amount to a minimum. Errors are of two kinds, the avoidable and the unavoidable. In the former category we place all violations of alphabetical order in the arrangement of the initial or key words (or the headings of articles), on the correctness of which order, it is clear, ease if not success in consultation is wholly dependent. This matter should always be made a special and separate object of attention in reading the proof-sheets of catalogues, dictionaries, cyclopædias, directories, in short, of all abecedarian lists of whatever name or nature. It would seem not to have been done in the present instance, as we find "across" occurring between "accounted" and "accumulate," and "afloat," "afraid," and "afresh" between "afford" and "affright," — to cite no more examples. Within the same category fall also all violations of numerical order in the citations from any one of the poems, as in the third and fourth extracts from "The Rape of Lucrece," under the word "Book."

Warned by our own experience, we fully agree to the statement in the Preface, that "no human vigilance" can guard against misprints. The Concordance is, on the whole, we think, remarkably free from them, though we have detected a few; such as "*imperfect* actor," for "*unperfect* actor" (see ACTOR), "*this* advantage" for "*his* advantage" (see ADVANTAGE), "*throw* my affections" for "*threw* my affections" (see AFFECTION), "*makes* true men thieves" for "*make* true men thieves" (see TRUE). Doubtless there are others, which would be brought to light by a more extended scrutiny than we have been able to bestow. The pages being stereotyped, errors of this kind can be corrected at any time; and the compiler in her modest and graceful Preface proffers her thanks to the kindness that will notify her of them.

Our experience has also taught us that inconsistencies as well as misprints are among the things "against which it seems that no human vigilance can guard." Such are the following: "'T was," in "'T was not their infirmity," is entered both under "'T was" and "It," but not under "Was." On the other hand, "'t were," in "As 't were encouraging the Greeks to fight," is entered under "'T were" and "Were," but not under "It."

Are omissions — of which, without much searching, we have discovered a few — equally unavoidable? We are inclined to think not. What Mrs. Furness's *modus operandi* may have been in the construction and revision of her Concordance, we do not know; but we are convinced that the simple method adopted in the preparation of the "Englishman's Hebrew and Chaldee Concordance of the Old Testament" and the "Englishman's Greek Concordance of the New Testament" will, if carefully carried out, insure absolute completeness in any work of this sort. The manuscript having been finished, each word cited in it, beginning with the first and proceeding regularly to the last, should be found in the original work, and therein underlined, or erased, with ink. When the whole has thus been verified, a careful examination of the author would show at once how many and what words had been omitted; for, if *every* word cited in the manuscript were marked in the original, the words not marked in it would, of course, not be in the manuscript. We infer — perhaps wrongly — that Mrs. Furness did not take this course; if not, it might be well for her to do so even now.

We have endeavored to estimate impartially the merits of this Concordance. We have taken exception to some things in its plan and execution, yet we can hardly "dispraise but in a kind of praise." And in one particular, which "the ignorance of foolish men" — or perhaps their want of reflection — will be likely to make a mock of, — namely, the insertion of particles, — we are disposed to commend unqualifiedly the course adopted. The reasons for this course are well stated in the Preface, and cannot, as it seems to us, be gainsaid. The popular idea of a concordance — that it is designed simply to facilitate the finding of some half-remembered passage, and that this is its only use — is altogether erroneous. It has functions of a higher order. In the microscopic anatomy to which modern lexicography and criticism subject the language of an author, this is the very instrument by means of which the variety of verbal forms and the various shades of meaning that are to be met with in his writings may be recognized and leisurely observed and studied. Their penetrating inspection is turned upon the humbler no less than the nobler parts of speech. And when directed to the language of Shakespeare, it reveals a richness and freedom and pregnant force in his use of words, to which our tamer if preciser English of the present day is a stranger. Nowhere, perhaps, is the flexibility of his diction to be more clearly seen than in his use of the particles. We cannot venture to multiply examples, but a single illustration may be given. Let us take the very first word in the Concordance, the indefinite article *a*,

the citations under which occupy nearly nine columns, an amount of space which probably ninety-nine persons out of a hundred would think absolutely wasted, but which contains lexical and grammatical material of no small value. Here is to be found more than one instance of that emphatic use of the word — unrecognized by the dictionaries, but not infrequent in writings of the Elizabethan time — which is traceable to its etymological identity with the numeral *one*. "'T is but *a* kiss I beg" (that is, a single kiss, one kiss), says Venus to the coy Adonis. So also in Sonnet 75 we find the same intensive sense: "Clean starvèd for *a* look." Compare Hamlet's inquiry, in the fencing scene with Laertes, "These foils have all *a* length?" Compare also the Scottish *ae*, the modern representative of the older form *ane;* as in Burns's familiar line, "*Ae* fond kiss, and then we sever."

We cannot conclude without echoing the words of Thomas Thorpe, and wishing "the only begetter" of this excellent Concordance "all happiness and that eternity promised by our ever-living poet." But she must not be content to rest here. She has something more than patient assiduity: she has talents and abundant leisure that should not remain unemployed. Having shown that she knows how to use them to the best advantage, let her remember that *noblesse oblige*. May we not hope, that, in furtherance of the large task her husband has set himself to perform, and is performing so admirably, but can hardly expect to complete, she will give us a new variorum edition of Shakespeare's Poems?

7.—*A History of France down to the Year* 1453. By G. W. Kitchin, M. A., formerly Censor of Christ Church, Oxford. At the Clarendon Press. 1873.

This book is a considerable improvement on the ordinary school-history of English production. Mr. Kitchin is, it is true, a little infected with the pedantry which Mr. Freeman has made fashionable, and appears to imagine that he recommends a text-book by writing it, as he says, "from original sources," instead of following the results gained by far deeper students than himself. But this is a mild species of affectation which has the excuse of thoroughly good intention, and is only mentioned here because it seems to have really injured the usefulness of the book, as will be seen hereafter; a result not wholly encouraging to such students as hoped to see better fruit from the new English school. In other respects, however, the result is more satisfactory. The author has taken some trouble with his

maps and tables, which are the most useful parts of his work, and may perhaps be exact and extensive enough for ordinary scholars. Yet more thorough students, especially in the universities, will regret that the author could not overcome his apparent terror of tediousness so far as to make the tables and maps even more complete than they are, especially in regard to genealogies. In mediæval French history, countries like Flanders, Normandy, Burgundy, Anjou, Champagne, Acquitaine, are quite as important as the duchy of France. The succession in their ruling families, the dates of accession, the marriages and the deaths, are essential to any tolerably informed reader. Mr. Kitchin could not do better than to amplify his Tables VI. and VII., as well as his royal genealogies, until they contain all that can be desired in regard to the great feudal familes of France. So too with the useful Table IX. of successive additions to the French monarchy, a less rigid conciseness would be an advantage. For example, we are told that Provence was annexed in 1487, on the death of the last count. Some risk of confusion would be avoided by explaining the fate of the marquisate as well as of the county. Among the innumerable perplexities of French history the relations of Navarre to France are one special source of exasperation to ordinary students; an explanation of this difficulty in the tables would be very welcome. Yet of course no one can require that Mr. Kitchin should reprint the huge tomes of the *Art de vérifier les Dates*, and it cannot be expected that he should satisfy every kind of reader.

Of the author's skill as a story-teller the less scholarlike part of the public will perhaps think more highly than of his efforts to produce accurate maps and tables. His difficulty lies, however, deep in the nature of the subject. France has no early history of which one can make a central interest. As a Roman province, her affairs can be made important only by connecting them with the fate of the Empire. Gaul had no separate political life. With the disappearance of Rome's authority arose new divisions, — Acquitaine, Burgundy, Neustria, — whose activity forms properly a part of the larger movement of German civilization, and ends in the glories of Charlemagne's empire. Even after the separation of France and Germany, and the election of the first national king, the history of the new kingdom remains almost absolutely subordinate to that of Germany and the Church, and can be understood only by studying the larger subject. This is so much the case that French historians, even M. Guizot himself, turn their backs with contempt on this early portion of their national records, and refuse to tell even what is known, little as this is. Not until near the year 1200 does France assume an authority in European

affairs. Such a story is of course broken, desultory, and dreary, and the attempt to tell it as though there were any consecutive interest in it must always fail.

More than this, Mr. Kitchin is so deeply impressed with the necessity of amusing and of calling attention to the "original authorities," that he sometimes fails to cover the whole field of vision. The petty squabbles of small feudal lords are of little consequence, except so far as they connect themselves with the great movement of Church and Empire. When they do so their importance is obvious. The French kings before Philip Augustus left no marks on history that are worth recalling, except where they interfered with or were used by the popes and emperors. But they were incessantly interfering in this manner. One of the early Capetians, Robert I., who is treated with contempt and pity by Mr. Kitchin and the French historians, began his career by an ambitious marriage with Bertha of Arles, who brought her husband a claim to the throne of Burgundy. The German Emperor and the German Pope Gregory V. at once compelled Robert to give up this match on the nominal ground of too close relationship, and Robert at once chose the next most ambitious match in his power, that with the house of Acquitaine, to which Germany appears to have offered no objection. Mr. Kitchin seems to be quite unaware of this political intrigue, and wastes, like most historians, some needless sympathy on Robert's blighted affections.

So again in regard to Robert's son, King Henry I., it might have been well to qualify the expressions of contempt with which, on the authority of an Angevin chronicle, Mr. Kitchin and every other English and French historian mention him. The German records are by no means so dogmatic on the subject, and if Mr. Kitchin had been contented to quote even very second-hand German books, he might have shown reasons for doubting the truth of the Angevin account. In some respects the reign of Henry I. was dramatically interesting. That king reigned contemporaneously with one of the most able and powerful of the German emperors, Henry III. He was, too, a contemporary of some very extraordinary characters, — Leo IX., Victor II., Hildebrand, afterwards Gregory VII., William the Conqueror, Matilda of Tuscany, the Guiscards, Godfrey of Lorraine, and many of less note but of marked ability. From Mr. Kitchin's account one would suppose that the French king was utterly incapable of holding his own among these great powers, but the facts hardly bear out this theory. It so happens that the French throne was at that time an object of the Emperor's most elaborate attacks. The Emperor was absolute master of the Papacy, he had married into the great and in

fact royal house of Acquitaine, and this alliance connected him closely with Anjou. France was therefore hemmed in by his influence, and he intended to reduce her Capetian king to the same condition of vassalage to which his predecessor Otto the Great had a century earlier reduced the Carolingian monarch. Against this result the Capetian, whose actual power as compared with that of Henry III. was not much greater than that of a good-sized German bishopric or margraviate, struggled for years and struggled with success. The means he used were naturally not those of armed force, since he had no army and no means to create one. He followed paths of tortuous and secret intrigue, which at this day can only be divined from their results. But then, as often since, French intrigue was successful. The autocratic policy of the Emperor caused resistance in Germany. Godfrey of Lorraine and Baldwin of Flanders rose in arms. France encouraged and fomented the rebellion. It was crushed, but soon began again, more formidable than ever, and the Empire was in every direction undermined by conspiracy. How decisive a part the despised French King Henry I. played in this matter may be judged from the following extract from an "original source," which may be found cited in any German history of merit: —

"1056. Imperator regressus de Italia . . . . perrexit ad villam Civois, in confinio sitam regni Francorum ac Teutonicorum, colloquium ibi habiturus cum rege Francorum. A quo contumeliose atque hostiliter objurgatus, quod multa sæpe sibi mentitus fuisset, et quod partem maximam regni Francorum dolo a patribus ejus occupatam, reddere tam diu distulisset; cum imperator paratum se diceret singulariter cum eo conserta manu objecta refellere, ille proxima nocte fuga lapsus in suos se fines recepit."

In short, the Emperor had apparently tried to buy off the opposition of France by a secret offer of Lorraine, just as Bismarck is charged with having done to Napoleon. Finding that France was not to be quieted thus, the Emperor sought an interview with the king, which took place. As the price of neutrality the king demanded Lorraine, and met a sharp refusal, whereupon the two monarchs gave each other the lie, and the German challenged the Frenchman. If this does not prove that the Capetian was by no means insignificant, original sources are indeed useless. One can only add that the Emperor went home from this interview a broken-down man; that he immediately made peace with Godfrey and Baldwin on their own terms, and died, leaving Godfrey the most powerful man in Europe, to develop with Hildebrand's aid that influence hostile to the Empire which was to build up Norman and French power on the ruins of Germany.

Had it not been for Henry I., who can say that Hildebrand would ever have seen a suppliant Emperor at the gates of Canossa?

Again: Mr. Kitchin says that Henry I. and Philip I. "suffered Norman William to win a new kingdom, unhelped, unhindered." The conquest took place in 1066. Henry I. died in 1060. Had Norman William attempted to win his new kingdom while Henry was alive, the statement would be more accurate. Further: as Philip I. was then a child of about twelve years, it is hardly to be wondered at that "the foolish young king," as Mr. Kitchin says, should have "listened to his counsellors," even though they gave him the excellent advice not to aid William. "The poor creature's tastes" would have been very marvellous if, at that age, he had refused to listen to his counsellors.

On page 205 Mr. Kitchin gives a sketch of the accession of Leo IX. to the Papacy. He assumes that Leo first obtained his notions of ecclesiastical polity from Hildebrand while passing a night at Cluny on his way to Rome as elected Pope. Hildebrand was, no doubt, "one of the world's giants," as the author says, but there is no use in overstating his influence. There is no sufficient reason to suppose that Leo IX., a man of very unusual strength of will and character, was ever greatly under Hildebrand's influence. At that time Hildebrand played indeed a very subordinate part in the Church.

If a student going into examination for his degree were asked what was the legal ground upon which Philip Augustus adjudged John of England to be forfeit of his fief of Normandy, he would probably reply, if he relied upon Mr. Kitchin, that this ground was the charge that John had murdered Prince Arthur. Yet such a reply ought to cost an English student his degree, since there are few subjects in English mediæval history which ought to be taught more exactly and in which accuracy ought to be more urgently required than that of the loss of Normandy. Almost any second-hand authority states the case more clearly than it is stated here.

These, however, are only small instances of what must be called slovenly work. The chapter on Feudalism and Chivalry can only be qualified as downright rubbish. "We know," begins the author, "that conquering races, settling in a new land, possess themselves of the soil, while the former owners fall away into dependence and slavery. We know that when the Germans seized on Gaul this was the case." We know just the contrary. That the Roman land-owners retained their land, and that feudal dependence was not the subjection of one race to the other, is a part of the alphabet of feudal history. "The lord had full power, in cases even of life and death, over the original

inhabitants of the land who became villains or serfs." Mr. Kitchin should have quoted his authority for these facts, which to the vulgar ear seem to echo the statements of no original source, but only of a modern and highly imaginative French historian.

If feudalism, which as it appeared in France was but a disorganized state of society, can be called a political institution, the honor of inventing it belongs to France, and every history of that country is all the more bound to give the most accurate account of feudalism, because it may almost be characterized as the only very important political institution which France ever has originated down to the present day. Yet there is not in the whole range of literature, English, French, or German, a sketch of French feudalism which is even approximately complete or can be used for instruction. Mr. Kitchin settles the difficulty by giving no account at all. Without attempting to define the institution, which he says originated in "confusions and anomalies," he flies off at once to the "clean-cut theory," exhibited in the *assises* of Jerusalem, which had about as much to do with France as the United States Constitution with that of England; that is, the study of feudalism there is positively misleading to the student of French history. Mr. Kitchin, however, again escapes the difficulty. After telling us that "the feudal towers of Jerusalem stand up in strong relief, bright under the western sun, against the thunder-cloud of the Moslem power, ever ready to enwrap them in its angry storm," and that there were three courts of justice in the kingdom, he makes no attempt at further explanation or analysis, but again hops away to another branch of his subject, and chirrups about the "page in my lady's bower," and the other commonplaces of chivalry. In comparison with such fine writing, the French series of historical text-books which bear the name of M. Duruy rise to the dignity of historical monuments. Mr. Kitchin could not do better in a new edition than to omit the whole chapter on Feudalism, and substitute for it a simple translation of that in the *Moyen Age* of M. Duruy.

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8. — *Fifth Annual Report of the State Board of Health of Massachusetts.* January, 1874. pp. 550.

A BOARD of health in the earlier periods of its career must necessarily be in great measure advisory. However strongly it may feel with reference to sanitary matters, sanitary measures have to be considered from an altogether different point of view. The pecuniary interests of individuals, of communities even, are not to be lightly

violated, even though a growing nuisance is thereby tolerated, almost fostered. A large number of our citizens are unwilling to give up what is regarded as the right of the individual, and desire to be let alone, while a very influential, because moneyed, portion has that little knowledge whose grasp is limited by the immediate cause.

Yet men acting from the purest and best of motives, possessing a great deal of general, even of special familiarity with sanitary matters, are nevertheless prevented from positive expression of opinions, because the opportunities for error are such that acts based upon these opinions may prove decidedly unjust.

Designing men can so readily form a powerful opposition, from a combination of the good and bad about them, that even the best measures may prove, at the time, ill-advised, perhaps even injurious, merely through having aroused this opposition.

Many of us are quite willing to admit that the one or the other existing condition is more than likely to prove harmful in the future, but few of us will make that effort which must be constant and energetic whereby such a condition may be deprived of its existence.

A vivid imagination and an intense enthusiasm seem almost prerequisite to the practical success which should ultimately crown the most philanthropic of purposes.

Though hitherto the Massachusetts Board of Health has judiciously abstained from that general exercise of its authority which would prematurely cut short its usefulness, it is to be hoped that at no distant day the use of apparently arbitrary measures may become so common, and manifestly so beneficial, that the people at large will regard the existence of the Board as necessary and as immutable as the judiciary system. The well-being of the State is as much dependent upon the laws of health, as the life and property of the citizens are on the costly apparatus which centuries of time have not made perfect.

Practically, health commissioners are in great part educational boards, and the contents of the volume before us are designed to suggest this idea in the most forcible manner. Among these a prominent place is held by the paper on "Preventive Medicine and the Physician of the Future," by Dr. Bowditch, the chairman of the Board.

The title is rather a taking one, and the article recommends itself to all. The efficacy of prayer as a remedial agent has excited a certain amount of curiosity, mainly by means of the daily press. The matter is alluded to incidentally in this paper, and we should infer that the action was merely that of a sedative, its power being decid-

edly dependent upon the idiosyncrasy of the patient. Dr. Bowditch seems willing to admit that the great fire in London extirpated the plague from that city, and, somewhat figuratively, considers this fire as nature's means of strangling the disease. This may be true, yet we learn that the plague disappeared from Western Europe at about the same time, and we can hardly consider that the influence of the fire should have spread itself over so wide an area.

Should the hopes expressed in this article be realized, the physician of the future will act rather to avert impending evil, and will be less often called upon to remove existing ills. The dentist is instanced as being called upon to prevent future trouble, and is therefore, "philosophically speaking, in advance of the physician." At the same time it may well be questioned if he does not serve as an example of the possible evils of preventive medicine. We have been informed that the early extraction of teeth, somewhat decayed or even still sound, with the object of allowing those present or to come to be more widely separated, may eventually prove injurious. This view is based upon the ground that dyspepsia is likely to follow, owing to the lessened amount of surface for mastication. An evil which unchecked would progressively increase, and thereby, in the course of time, very decidedly cause a deterioration of the race. Every city father should take deeply to heart that the time will come "when a city government will be considered criminal, which, like the city of Boston, allows, year after year, sewers to be introduced as unwisely as they are at present, and its sewage to be thrown broadcast about its borders, thereby at times overwhelming its inhabitants with a tainted atmosphere."

Apt remarks follow with regard to medicine, clothing, nutrition, exercise, etc., which are particularly valuable as based upon a long experience, especially with those maladies which thrive on the neglect of the simplest laws of nature.

Professor Nichols's paper on the preservation of the purity of drinking-water is of local interest, but the methods adopted and the general way of treating the subject must prove decidedly suggestive to those interested in similar work. The Brighton Abattoir is particularly a creation of the State Board of Health, and very evidently requires constant watching, that it may be enabled to fulfil the design of those who felt its need so sincerely. A complete description of this establishment is given, illustrated by drawings, the annual report from its presiding officer being added. The request of the Board seems a modest one when it desires the appointment of a responsible inspector of animals and meat; and yet the legislators, a

year ago, refused to grant this request. We hope that not only will this duty be attended to, but also that the State shall compel the most scrupulous cleanliness throughout the premises, only to be enforced by an exacting taskmaster whose subsistence shall be independent of the favor of those who use this great establishment for their own immediate pecuniary profit.

It ought to prove gratifying to the farmers of Massachusetts to learn that their health is injured and their lives shortened by causes which may be prevented. Though Dr. Adams states this very decidedly and with apparent justification, we doubt if the desired reform can be left to instruction alone. At least, the loss will be so great before the end can be reached, that it may be questioned if arbitrary measures do not prove the greatest blessing. Dr. Adams's paper on the "Health of the Farmers" is admirably supplemented by a letter from Mrs. Plunkett on "Some Farm-Houses and some Mistaken Ways of living in them."

Dr. Winsor contributes a paper on School Hygiene. It may be stated that this, like many of the articles in the volume, is a critical and thoughtful analysis of a large amount of correspondence. Circular letters containing carefully arranged questions are sent in various directions, mainly to physicians, yet generally to those persons whose opinions are worth the asking. Though opinions will be found to differ widely, in fact so widely that some are directly opposed to others, yet enough meet on a common ground to enable generalizations to be made.

The question of "Sex in Education" excites a considerable degree of interest, and the majority of the answers favor the idea that girls suffer more than boys from attendance at school. This majority is practically a small one, — one fifth, though nearly doubled when the element of puberty is added. This discrepancy is unfortunate, as suggesting a bias, particularly when the answers indicate that nearly all the correspondents are inclined to limit the qualification to girls. It seems quite probable that the same element may have exerted its influence in the answers to the first question, so that Dr. Winsor's view, that identical coeducation up to the age of thirteen is hygienically safe, may be stripped of its proviso that "at no age is it as safe for girls as boys." That is, the evidence hardly seems to justify the absolute assertion of this limitation. It is further asserted as a fact, "that throughout the *whole* time between the thirteenth and the nineteenth year the female cannot, with impunity, bear the same *mental strain* as the male." This may be true, and perhaps evidence has been furnished which justifies this conclusion. We should like

to see the experiment tried, but under conditions. There is but little difficulty in admitting that at certain intervals this strain cannot be borne. For that matter, the young man is not constantly under tension, and the best work is generally regarded as that which does not demand indefinitely constant and prolonged effort. Periods of rest and recreation must intervene for the one sex as well as for the other. Girls must be educated to the necessity of those conditions which boys take and have. The ignorance so frequently existing among women with regard to the simplest laws of health is deplorable, — would excite the deepest pity did it not compel the harshest condemnation. How many mothers realize, to the fullest extent, — for there is no half-way, — the general ideas on the simple topics presented in Dr. Bowditch's paper, to which may be added the little so easily acquired. Give the girls a fair chance before deciding as to what they can, rather than what they cannot, do. School hygiene must bear its share of blame, and receives it in this paper, but not, let us hope, unjustly. If those interested would consider as paramount the best education for each, — two distinct questions and not to be confounded with each other, — the first step is made, and progress seems much nearer than when the means — identical coeducation — assumes a like prominence. The main questions are hardly separated from each other even now. God created male and female, but man in his own image, and man has remained the image. The best education is that for man and always has been so; since woman in general has not derived a like benefit from the course, the *why* is to be sought, not in her alone, but in the plan. She cannot be unsexed; the plan should be adapted to her condition; then her capacity for development will be allowed to extend itself equally untrammelled for her as that of man for him.

How far time spent in recitation is exhausting brain-work seems still a question. It ought not to be such. We hope that Dr. Winsor draws too sharp a picture, and we should differ in opinion as to the necessity in recitation for the "*sustained mental* effort" which "exceeds in *intensity*" that preparatory to the same. It may be that his presence before the class, or that of any other person than the teacher, produces a temporary show of anxiety which ought never to be permitted to displace that of interest.

An extract from one of the letters received strikes the eye somewhat strangely. It seems that "in the high school only does the spirit of emulation rage, and that *does seem* to add *strongly* to the influence of study in undermining the health of the competitors, some of whom occasionally break down in the race for the Carney

medals. The emulation there is very largely in the direction of good deportment, I believe mainly so." It would be curious if it were more healthful to be bad than good.

The statements concerning the English "half-time" system are very interesting and suggestive. Scholars under this plan "learn quite as much as the children who are in the same schools twice as many hours a day." Dr. Winsor, though decidedly in favor of it, seems to doubt its general practicability. It would seem as if Americans might be very ready to adopt a system which would produce the same result in one half the time.

Other papers are to be found in this volume which possess considerable general and special interest. All are characterized by systematic laborious work, and it is evident that the writers have been judiciously selected. Where conclusions are largely based upon differences of opinions, it is evident that a wide margin is offered for individual criticism. Questions will be misunderstood or answered evasively, sometimes wilfully, though more often unconsciously. Observers have not equally trained powers, though necessarily of equal numerical value, where yes and no are to determine the result. The demand for this book by people of all classes throughout the State forms a valuable index of the good it may do among those more selfishly interested. The references made to the preceding volumes by writers interested in and working upon sanitary matters indicate the relation of the Board and its works to the world at large, at home and abroad.

It is impossible to conclude this notice without referring to the late Dr. George Derby, so long Secretary of the Massachusetts Board of Health, whose death has occurred at a time when it would seem that he was most needed here. Thoroughly interested in the work, his mental qualities were such as made him, in every sense of the word, the right man for the place. A zealous and well-cultured student, possessing motives of the purest character, he was constantly progressing in the search for truth. His evenness of temper allayed personal opposition, while his freedom from prejudice assured a thorough hearing to those whose interests were, at times, opposed to the best good of their neighbors. Though giving up the greater part of his time to the welfare of the State, he seemed unconscious of his thorough well-doing. He was one of the few men whose place cannot be filled, and we fear its limits must contract till met by the growth of a successor.

9. — *The Life of Thomas, First Lord Denman, formerly Lord Chief Justice of England.* By Sir Joseph Arnould, late Judge of the High Court of Bombay. Boston: Estes and Lauriat. [1874.] 2 vols.

To write the life of a Lord Chief Justice, as this purports to be written, "as much for general as for professional readers," is by no means an easy task; but Sir Joseph Arnould has done it well; and no one who takes up this book can fail to be interested in the story of a successful career and of a happy life which is so pleasantly told in these pages. Little more than the name of Lord Denman is known in this country, except among the profession at the head of which he stood so long; but it is to be hoped that many readers will now become familiar with the character of the fearless advocate, the upright judge, the affectionate husband and father, who, for nearly twenty years, held the high position of Chief Justice of England, and who was one of the most truly honorable men that ever filled that honorable office.

Thomas Denman was born in 1779, and was educated at the school of Mrs. Barbauld, a lady, as the biographer truly says, "well known," though it might be rather puzzling, at the present day, to say for what. He was afterwards sent to Eton and Cambridge, where he graduated without special distinction, owing to his aversion to mathematical studies. In 1804 he was married, and two years afterwards was called to the bar; both of which important steps in life had the most fortunate results. The increase in his practice seems to have kept pace with that in his family, large as that was (he had fifteen children), until in 1818 he obtained a seat in Parliament, and in 1820 was retained in the great case which was the subject of most intense public excitement, the trial of Queen Caroline. Denman, already one of the most prominent lawyers of the Whig party, was appointed Solicitor-General to the Queen; and we have his own account of a great part of the proceedings. All the best legal talent in England was engaged in the cause, on one side or the other; Denman had Brougham, Tindal, and Wilde among his associates, and Copley and Parke among his opponents. He proved himself, however, on this occasion, equal to the best of them; and the ultimate success of his client was no doubt owing in great part to his untiring energy and forcible eloquence. The prosecution was abandoned, and Denman's popularity was assured. But he had made himself obnoxious to the government. Certain allusions in his speech, of a character not to

be forgotten or forgiven, were construed, and not without some show of reason, to apply to the king and the Duke of Clarence (afterwards king); and though he himself earnestly disclaimed having intended any such application, he could not, for a long time, obtain the rank to which his professional standing justly entitled him. It was not until 1828 that he was made King's Counsel; but promotion was now to follow rapidly. In 1831, on the coming in of the first Reform Administration, he became Attorney-General; and the next year, the office of Chief Justice of the King's Bench falling vacant by the death of Lord Tenterden, Denman was appointed to succeed him. This of course removed him from the House of Commons, where his career, if not brilliant, had been consistent and useful. His efforts for the abolition of slavery, for the amendment of the law, and for the extension of the suffrage, to which we have space only to refer, are told by his biographer in detail.

The news of the next dignity which he acquired was communicated to his wife by his friend Lord Brougham in a letter, which, though no doubt technically correct in expression, has rather a queer sound. "Dear Lady D——: I ought to have let you know yesterday that H. M. has been graciously pleased to make the C. J. a peer, and *he will be accordingly created in the course of to-day.*" He retained his former name, becoming Lord Denman of Dovedale.

The record of his judicial life contains few great cases. The question which he himself seems to have considered the most important of those which came before him was that of the immunity claimed for papers which would otherwise be libellous, on the ground that they were published by order of the House of Commons. The history of the long and bitter quarrel over this question, of the dead-lock between the House and the Court of Queen's Bench, and of its lame and impotent conclusion, takes up considerable space in this book, and is certainly interesting reading; but the controversy cannot be said to have produced any very valuable results. Nor can any greater importance be attributed to the judgment in O'Connell's case, when the House of Lords, by a majority of one, and against the opinion of by far the greater number of the judges, reversed the judgment of conviction in an important state prosecution, on grounds which, with all deference to Lord Denman and his biographer, it is difficult not to regard as technicalities of very slender foundation. It was this decision, if we mistake not, of which Lord Brougham said that it had "gone forth without authority, and would return without respect."

But however wanting in opportunities for brilliant display, Lord Denman's presidency in the court was distinguished by dignity, impartiality, and sound sense in the administration of justice; and when, in 1850, he was compelled by failing health to resign his office, the most sincere and flattering appreciation of his services was expressed by the bench, the bar, and the public.

For a short time he was able to lend, by his writings, an important aid to projects for the improvement of the law; but he was soon overtaken by the final stroke of paralysis, a disease from which he had before suffered. Coming as it did immediately after the terrible shock which he had received by his wife's death, this last attack entirely broke him down.

Some of the effects of his disease were curious. He was able to read, and to hear and understand all that went on about him; but he lost, not only the faculty of speech, but the power of expressing himself in writing. "He could frame written letters with a pen," says the Life, "and could readily distinguish one ivory letter from another, when arranged in lines before him; but to form these letters into words, or words into sentences, was utterly beyond his powers, unless the words and sentences were written, or put together as a model for him to copy from. When he received letters, the only way he could acknowledge them was by copying in a sort of formal print-hand any passage in them that had particularly pleased him, and causing that to be sent to the writers, in token that he had read and been pleased with their communications. . . . . When some deeds were sent for his signature, he could only sign his name by seeing it written out and copying it."

In this state he continued nearly two years, till his death, in 1854.

Lord Denman's private life was most happy. Eleven of his children survived him, one of whom is now a judge of the court which is presided over by the son of Denman's old friend and associate on the bench, Sir John Coleridge. The Life contains a large selection from his correspondence with his wife and children, as well as with his friends; and as showing the affectionate and amiable character of the writer, as well as often giving fragments of contemporary history, these letters are very interesting. The narrative connecting them is well written, and the whole is a credit to the author and a well-deserved tribute to an excellent man.

We cannot say so much good of the particular edition before us. It appears at first rather handsome, but the lines are much too close together for the size of the type, and the effect is trying to the eyes. An Appendix, containing his Lordship's verses (which are poor enough),

is given; but there are in the body of the work references to other appendices, containing more interesting matter. We do not know whether these are to be found in the English edition; certainly they are not in this reprint. And the Greek quotations which Lord Denman sometimes used have suffered sadly at the hands of the American printers.

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10. — *Essays in Military Biography.* By Charles Cornwallis Chesney, Colonel in the British Army and Lieutenant-Colonel in the Royal Engineers. New York: Henry Holt & Co. 1874. 8vo.

The essays comprised in this volume, although evidently from the pen of an accomplished military strategist, are not so technical in their nature as to be uninteresting to the general reader. The author's abilities are best displayed in just conceptions of general plans and broad comprehensive views, rather than in his treatment of military details. A judicial quality of mind in Colonel Chesney is also to be admired. It enables him to do justice to the genius of both Lee and Grant, without being blind to the faults of either, and to criticise the organization and discipline of the French army fairly and temperately.

The essay on Chinese Gordon gives an interesting account of a civil war in China, the merits of which were probably little understood either in Europe or America. The newspapers of the day represented the Taiping as a very meritorious individual whose object was the enlightenment of the nation, and who was favorably disposed towards Christianity. In reality he seems to have been a sort of Chinese Jack Cade, who, but for General Gordon's army, would have done incalculable mischief to the European residents as well as to the natives. That Gordon, at the head of about five thousand men, was able to repeatedly defeat armies of Taipings of four or five times that number, does not seem so extraordinary as Colonel Chesney, in his very natural zeal for the glory of a brother officer of engineers, regards it. The insurgents were badly armed, badly led, and utterly without discipline, so that Gordon's chief merit was the skill and rapidity with which he organized and disciplined his own troops. That accomplished, victory was easy.

The *souvenirs* of de Fezensac and the memoirs of v. Brandt are narratives of the personal experience of those officers, both of whom saw much active service in the armies of the First Empire. There

seems to be no reason to doubt their truthfulness and impartiality, and their works are particularly valuable as they give us an insight into the domestic economy of the French army, of which we learn little or nothing from writers like Thiers or even Jomini. As M. de Fezensac says in excuse for his prolixity, "All these details are unknown to those who read the history of our campaigns."

Colonel Chesney reviews these two authors. He sees, what must strike at once even an unmilitary reader, the similarity between the internal condition of the French army in 1812 and that of the troops of Napoleon III. in the recent war with Germany.

The dishonesty and inefficiency of the administration of the supply departments, the want of discipline on the march, the evils attending the rule of promotion exclusively from the ranks, and, above all, the demoralization which must inevitably accompany the system of subsisting an army by requisition, account sufficiently for the destruction of the grand army in Russia and the defeats of 1813. It is true, the French army in 1871 did not have an opportunity to live by requisition on German territory, and the officers had not all risen from the ranks, but the tone remained the same, and the germs of the faults that produced the defeat of Napoleon III. may be found in the armies of Napoleon I.

But it is to the essays on Grant and Lee, Farragut and Porter, that the American reader will turn with the greatest interest.

General v. Moltke is reported to have said of the War of Secession, that it was only skirmishing on a large scale, and that the disciplined army of Germany had nothing to learn from the blunders of volunteers; and to the same high authority is credited the remark that the war in America was nothing but the struggling of armed mobs. Such is not Colonel Chesney's opinion. Nothing indeed could be more gratifying to our national pride than the language of his Preface: —

"The conditions of war on a grand scale were illustrated to the full as much in the contest in America as in those more recently waged on the Continent. In all that relates to the art of feeding and supplying an army in the field, the Americans displayed quite as much ability as any Continental power; while if the organization and discipline of their improvised troops were inferior, the actual fighting was in fact more stubborn, for no European forces have experienced the amount of resistance in combat which North and South opposed to each other. Neither was the frequently indecisive result of the great battles fought in America any proof that they formed exceptions to the ordinary rules of military science. These actions were so

inconclusive, first from deficiency in cavalry, and next because the beaten side would not break up. The American soldiery in thus refusing to yield to panic when losing the day, retiring in good order and keeping a good front to the victorious enemy, displayed, let us venture to believe, an inherited quality. In order to pursue, there must be some one to run away; and to the credit of the Americans, the ordinary conditions of European warfare in this respect were usually absent from the great battles fought across the Atlantic."

The essay on the life of General Grant is admirably just and discriminating. Full credit is given to the genius shown by him at Belmont, Fort Donelson, and Vicksburg; his difficulties with Halleck are put in their true light, and his four unfortunate attempts against Vicksburg properly criticised, although the glory of the fifth successful effort has almost effaced them from the memory of the nation.

In the account of the final campaign in Virginia, the tremendous sacrifice of life caused by Grant's repeated and always unsuccessful attempts to force the enemy's lines by a direct attack, receives the censure which it undoubtedly merits, and the celebrated saying, "I intend to fight it out on this line if it takes all summer," is gently ridiculed, Grant having in fact changed his line of operations four times before he reached Petersburg. Still, the blame due to his mistakes is mingled with praise for his many high military qualities, and for the vigor with which the war was brought to a close.

Even the most devoted Unionist will not begrudge the admiration bestowed on the late General Robert E. Lee, although he may not agree with the view which Colonel Chesney takes of what Lee considered to be his duty at the outbreak of the Rebellion. In many respects, indeed, Lee was the beau-ideal of a general, his great fault having been a slackness in enforcing discipline among his troops. The story of his career is well known, and the fact that his death was regretted at the North almost as much as at the South is his best eulogy.

The essay on Admirals Farragut and Porter gives a sketch of the principal naval operations during the war, in which Colonel Chesney finds much to admire and little to criticise. But he does not agree with those who think that a nation with a large merchant-fleet needs only a small navy, and can rely on the possibility of creating men-of-war out of merchant-vessels. On the contrary, he takes the view that our deficiency in naval strength cost us "years of toil and oceans of expenditure," and that a large and well-equipped navy is essential to national security, as well as economical in the end.

We close Colonel Chesney's book with a feeling of regret that he

has not written a military history of the Rebellion. Judging not only from these essays, but from his well-known reputation, he is one of the few men who are well fitted for the task.

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11. — *The Life and Death of John of Barneveld, Advocate of Holland; with a View of the Primary Causes and Movements of the Thirty Years' War.* By JOHN LOTHROP MOTLEY, D. C. L., LL. D. New York: Harper and Brothers. 1874. 2 vols.

WHETHER these volumes indicate any modification of a purpose that Mr. Motley has more than once expressed, we are not informed. When the earlier portion of the "History of the United Netherlands" was published, some fourteen years ago, the author announced his intention, at some future time, of retracing the story of that great struggle which was brought to a close by the Treaty of Westphalia. The two concluding volumes were accompanied with the gratifying statement that he was already engaged upon the work which he regarded as the natural complement to all his previous labors. Whatever considerations have prompted the present departure from his original design, we earnestly trust that they are not of a nature to cast any doubt upon the completion of the History, the promise of which has been so long held out. The Thirty Years' War would tax his highest powers; and however hearty the satisfaction with which any production of Mr. Motley's pen is hailed, on both sides the water, it would unquestionably awaken a deeper sorrow to know that anything forbade the prosecution of that crowning work for which the labors of his life have so admirably fitted him. Every reader of these volumes will notice with regret that the Preface makes but a guarded allusion to any future purpose.

While "The Life and Death of Barneveld" forms a sequel to the "History of the United Netherlands," covering as it does the period of the Twelve Years' Truce, yet it would seem from the title chosen by the author that it is not meant precisely as a continuation of that work. Although carrying on, in the main, the same story, it is yet made so much to set forth the career and fate of a single character, and is so liberally illustrated with personal anecdote, and flavored with such piquant details of domestic intrigue, that it deserves to be classed rather with memoirs than with histories. Its picturesque and dramatic coloring continually reminds us of those inimitable works which are the characteristic product of French genius, and which Mr. Motley has evidently studied with such keen appreciation.

This apparent intention of the author explains a certain discursiveness of method, which, judged by a more rigid rule, might be reckoned a defect. For it is only with the second volume that Barneveld becomes the central figure. The hero of the first is rather the brilliant sovereign, — hero, statesman, lover, — whom Mr. Motley terms with truth "the only king in Europe." After a rapid sketch of Barneveld's career up to the conclusion of the Truce, in which the origin of the fatal rivalry between him and Prince Maurice is explained, the author places the relations of the leading European states clearly before us in a detailed and graphic narrative of the events consequent upon the death of the crazy Duke of Cleve. Though the possessions of this potentate were only paltry, yet he contrived, "by leaving everybody his heir," as Henry curtly stated the case to Sully, to set all his neighbors by the ears. The difficult questions involved in the Cleve succession, the nature of the rival claims, the intimate bearing of the dispute upon the fortunes of the young commonwealth which had just succeeded, after so many years of strife, in winning an unstable foothold among the family of nations, are all explained with admirable clearness, and at the same time with a vivacity that redeems the somewhat minute recital from the least reproach of dryness. The unwearied efforts of the States, through their keen-witted and accomplished ambassador at Paris, to commit Henry to an alliance in support of the Possessory Princes, furnishes the author with an opportunity of bringing upon the scene a monarch for whom his admiration is never grudgingly expressed. Whether the clear understanding of the difficulties with which Barneveld had to grapple, at this juncture, required that Mr. Motley should give with such fulness of detail the story of that strange, unworthy passion for the beautiful Margaret de Montmorency which covered the closing years of the hero of Ivry with so much shame, the critic perhaps might question, though we presume that no reader of these volumes would wish the sparkling episode left out. The Duc d'Aumale, who in his History of the Princes of Condé, tells the same story with far less effect, insists that it is a mistake to think that this amorous caprice of the gray-bearded monarch either prompted or modified his foreign policy; but Mr. Motley claims that "the abduction of the new Helen," if not the cause of the impending Iliad, had yet a direct and important bearing on the hostilities so soon to be commenced. The political significance of this royal comedy has no doubt been overstated, yet Mr. Motley makes it plain that Condé's flight roused Henry to a new sense of the need of maintaining friendly relations with the States. Everything, however, was thrown into confusion by the

dagger of Ravaillac. Henry, if not always a sincere, had been for the most part a steady friend to the sturdy commonwealth which had so often fought his battles against the common foe, but the miserable clique that now ruined France looked across the Pyrenees for inspiration and support. An ancient Leaguer held all the threads of foreign alliance in his hands. Still the young Republic proved equal to the task thus unexpectedly imposed upon her. With little to hope for, either from France or England, she did not falter. Barneveld, who inspired her counsels, now becomes the foremost figure; but with his vigorous and successful conduct of this crisis, his influence so long exercised in Holland without restraint began rapidly to wane. The seeds of discord between the Stadtholder and himself, which had secretly been ripening, now bore their fruit. The brief campaign in Cleve and Jülich was the last enterprise in which they acted even in apparent harmony. The manifold elements of the fatal combination which was now formed against him, the long-smothered enmity of Maurice, the crafty hatred of Francis Aerssens, the more out-spoken hostility of Dudley Carleton, the malignant suspicions engendered by religious differences, the implacable antagonism of national and provincial interests, the struggle for supremacy between Church and State, were rapidly weaving around the aged statesman a network of calumnies beside which his forty years of patriotic service were destined to count as nothing. Mr. Motley paints with great sympathy and power the picture of the undaunted Advocate slowly and unwillingly awakening to a perception of the real difficulties of his position, but refusing to bend in the slightest before the rising storm, and holding to the last his attitude of conscious innocence and stern defiance. We scarcely recall, in the whole range of English historical literature, so firmly drawn and effective a delineation. Possibly the contemplation of a statesman and diplomatist thus rudely crushed beneath the mailed hand of a successful soldier lends emphasis to some of Mr. Motley's strokes. In vivid contrast, as they faced each other for the last grapple, are drawn the two men by whom the fortunes of the Republic had been so long upheld, — the stern, gray-bearded Advocate, haggard and bent with years of care, wrapped in velvet cloak and leaning on his staff; and the thick-set, fiery Prince, still in vigorous manhood, clad in brown doublet and big russet boots, with his shabby hat and his famous gold-hilted sword. The trial of the Advocate is given at length, most of it from unpublished sources, and the final scene in the Binnenhof is described in almost the vivid language of an eyewitness. But we will not follow further a story with which most of our readers must by this time be familiar.

Some, perhaps, will deplore the absence, in these volumes, of those striking features which so much heightened the interest of Mr. Motley's former works. His subject here requires him to deal with different themes. We are carried from the camp to the tribunal of justice; from the battle-field to the less picturesque arena of legal and theological debate. We miss, of necessity, the familiar heroic figures of an earlier epoch. The Cleve campaign seems a small affair after the wars of William of Orange. Aerssens and Uytenbogaert hardly replace Egmont and Sainte Aldegonde. Henry IV. appears for a time, but not in his most imposing attitude. The great Spinola sinks into a carpet knight. Maurice himself, whose part is so important, moves darkly across a stage where his supreme qualities have little scope for action. There are no chapters like those which picture so vividly the weird phases of the siege of Antwerp, or the stubborn tenacity of purpose that wrested victory from defeat on the sands of Nieuport. The central figure is a civilian whose life-work was done in the cabinet or in the council-chamber, the monument of whose victories consists in vast piles of "exasperating manuscript" which for generations have slept undisturbed; the struggle involves no longer the liberties of a gallant people, but dry problems of theology and doubtful questions of constitutional law. At first sight nothing might seem less inviting than such a theme; yet Mr. Motley has clothed it with such living interest, coloring its abstract issues with such constant play of warm side-lights, and bringing into such strong relief, as the event unfolds, the clearly outlined features of the stern old man on whose head the pitiless storm is breaking, that he carries us to the close with unflagging interest. No one of his characters has so powerful a hold upon our human sympathies. The plot has all the simplicity of the ancient tragedy. We take in the whole of the narrow field, and follow without distraction the single thread. Our attention is absorbed because it is so concentrated. Even Mr. Motley's great hero, William the Silent, is hardly elaborated with more care. Next to Barneveld, his great antagonist the Stadtholder becomes the most conspicuous figure; and around these are grouped with great skill the lesser actors, sometimes, as in the case of Sully, analyzed in a pungent paragraph, sometimes, like the Emperor Rudolph, hit off with a single vigorous stroke. Of these subordinate sketches that of Francis Aerssens, the Dutch Ambassador at Paris, is perhaps the most effective. But the volumes are full of similar portraits which, if often far from flattering, are always lifelike and full of spirit. The young Grotius comes upon the stage only in the closing scenes, but the story of his escape from Loevestein reads like a chapter out of Walter Scott.

Nor does this conspicuous display of dramatic power constitute by any means the only literary attraction of these volumes. The author lights up his narrative at times with fine bits of landscape-painting, such as only a keen eye for natural scenery, and a familiar knowledge of the localities, could have produced. All who have read these pages will recall at once the passage in which he sketches the picturesque surroundings of the historic city which spans with its ancient, many-statued bridge the rushing Moldau, and the sunny touches that set before us, with such evident delight, the fair village-capital of Holland, with its old moated castle, its shady promenades, its lake fringed with weeping-willows and lilacs and laburnums, the white swans gliding over the silver basin, and the nightingales singing in the groves. The description of the Utrecht fair is in a different vein. The noisy *kermis*, with its jostling crowd of pedlers and quaintly costumed peasants, its mountebanks and merry-makings, its coarse and exuberant frolic, seems a study after Teniers.

But we are far from thinking that these patent characteristics of Mr. Motley's genius, to which we have called attention, are by any means the distinctive qualities on which he would prefer to have his reputation as an historian rest. Mr. Motley is more than a mere student of the past; untiring as have been his researches, he has never wholly buried himself in the dusty archives of Dresden and the Hague. He is also a man of the present, and his interest in all the great political problems of the day is earnest and intelligent. He looks at the past, not as a mere antiquary, but with constant reference to living issues. The work before us is undertaken in this spirit. The author tells us, at the outset, that it aims at being a political study; that describing as it does a complex struggle between national and provincial sovereignty, between ecclesiastical and civil power, it is full of lessons and warnings for all free states. The struggle is here revealed in the first considerable federal republic of modern times; hence the lessons taught have a special application to our own land. The system of Switzerland was too limited, that of Venice was too oligarchical, to yield us any profitable instruction; but between the Netherlands and ourselves there are many points in common. While the work covers a period of bitter religious controversy, including as it does the famous sessions of the Synod of Dort, Mr. Motley declines all discussion of the questions between the Arminians and their opponents. Beyond the flaming gates of the theological paradise he refuses to penetrate. Like Prince Maurice, he evidently does not care whether predestination be green or blue. He insists that the struggle, which so convulsed the States, was fundamentally political

and personal, although he allows that the most effective weapons were drawn from ecclesiastical arsenals. It is with reference to the political lessons to be learned that he has subjected to such minute analysis the working of individual humors and private passions. He is so much in earnest to vindicate the career of Barneveld, not for the tragic interest which enables it to be told with dramatic effect, but because the character of a great statesman is a possession of inestimable value to mankind. What, in short, Taine says of Macaulay, may be applied with stricter truth to Mr. Motley, that he writes history, not as an artist, but as a moralist. It is by the standard thus supplied that the author of these volumes would evidently wish to have his labors judged.

While it will not be questioned that this didactic quality adds greatly to the interest and impressiveness of Mr. Motley's writings, there is evident danger of its sliding at times into a defect. One can hardly have the moral of his story constantly in view, without coming at last to set an undue estimate upon its value. In the case before us, as we lay down these striking volumes, we are not quite certain that the author's absorption in his subject has not led him to magnify unconsciously its historical significance, and make Barneveld himself a somewhat more colossal figure than he is fairly entitled to be represented. We criticise with diffidence an estimate which is the result of so much study, and which rests upon grounds the full force of which Mr. Motley can appreciate so much better than any living man. When he assures us that the enormous masses of original papers which he has inspected bear silent but incontrovertible witness to the fact that the statesman whose own individuality was so completely veiled by the singular constitution of the Republic whose destinies he guided, was seen, heard, and obeyed by the great European public, by the monarchs and warriors of the time, the statement is one which we have neither the means nor the disposition to gainsay; but on the reasons for this estimate, so far as they are presented to his readers, we may, without presumption, venture to pass a judgment. Mr. Motley claims that the part played by the Advocate in European politics, during the period of the Truce, has never been appreciated. The Dutch statesman was really, at this time, he says, the central figure. Under his modest designation, he was virtually the prime minister of the Confederation, its president, attorney-general, minister of finance, and foreign secretary. The controlling influence of Holland gave him the first place in the ill-compacted system founded by the Union of Utrecht. Draped behind the States-General, his informing and master spirit shaped, more than

any other, the current of events; he alone, of the statesmen of his age, foresaw clearly the frightful convulsion then impending. Language like this leaves in the reader's mind the lurking suspicion that the historian has unduly kindled with his theme. So far as he has aimed simply to vindicate the good name of Barneveld, his labors are a complete success. He has proved, beyond a doubt, that the main charge, so industriously circulated against the Advocate, of meditating a surrender of the States to Spain, was as absurd as it was malignant. The Advocate's whole career gave it the lie not less than his dying words. Nor has Mr. Motley rendered historical truth by any means a needless service in thus establishing the innocence of the ill-fated statesman, for there have not been wanting those in recent times, and in his own land, to justify the hard sentence passed against him. The historian has earned our warmest thanks for placing in a true light the venerable figure of the man who more than any other must be regarded as founder of the Dutch Republic. But when he goes beyond this, and insists on having us believe that without the master-touch of Barneveld the record, not of Holland only, but of France, Spain, Britain, Germany as well, might have been modified in essential aspects; when he ascribes, as he does so often, to the Advocate the possession of consummate genius and unrivalled insight; when he affirms that the history of Europe, the fate of Christendom, is in his correspondence; above all, when he terms Barneveld the prime minister of European Protestantism, its statesman and prophet, with none to rival, few to comprehend, and fewer to sustain him, — we cannot help asking whether his achievements, even in the light of Mr. Motley's own elaborate and eloquent delineation, are sufficient to justify such praise. We cannot help suspecting that the enthusiastic student of these vast piles of manuscript has made the untiring industry of Barneveld too much the measure of his actual influence. We recall the fact that this stupendous shape, whose bulk now stretches so far over the vexed sea of European politics, has been described by Mr. Motley, in more measured terms, as a tough, hard-headed burgher statesman, with nothing heroic in his nature; as not above playing tricks at times; as loving his country well, but power still better; as swayed by provincial instincts; as champion of that least imposing form of aristocracy, an oligarchy of selfish traders; as content to be perpetual chairman of a board of ambitious shopkeepers; as one whose imperious but narrow understanding was incapable of comprehending the meaning of religious freedom; who was willing to intrust the decision of man's relations to his Maker to the decree of a trading corporation. Of course no one would make it a reproach

against Mr. Motley that his earlier estimate has been modified by fuller research, and that the study of the Advocate's vast correspondence should have revealed more clearly the influential though silent part he played; but the facts in Barneveld's career, as they are presented in these volumes, hardly make him the master-spirit that the historian has conjured up. Henry held him in high esteem, but Sully, than whom was no shrewder judge, seems to have questioned his political astuteness in the most important transaction of his life. It was only during the Cleve negotiations that his hand was powerfully felt outside the Netherlands. The sharp bargain he drove with James was rather proof of a crafty than a capacious understanding. If he foresaw, as no doubt did others, the fierce storm that threatened Europe, he was able to do nothing to avert it. Resolute and honest, he remained provincial to the last. He laid down his life for local rights and corporate privilege. In the final struggle his stand was that of a lawyer more than of a statesman. We acknowledge that he was illegally condemned; we regard his pretended trial as a mockery of justice; we are impressed with his stoical courage: but we cannot attribute the highest insight to a statesman so apparently indifferent to the deepest forces which then convulsed society; still less can we apply the title of prime minister and prophet of Protestantism to one who in that age could adopt the prudent motto, savoring so much more of Montaigne than of Martin Luther, "Nil scire tutissima fides." He strikes us, on the contrary, as a firmly knit but not finely tempered nature; of powerful but narrow understanding; of obstinate disposition and unyielding prejudices; blindly precipitating a contest in which he could not fail to be worsted. He paid the hard penalty of despising popular sentiment. He acted fearlessly according to his convictions, and died as he had lived; but with all that Mr. Motley urges in his behalf, we still fail to be persuaded that he was ever a very great or always a very wise man.

We are also in doubt as to the precise political lesson meant to be deduced from the Advocate's career. Mr. Motley tells us that it is a lesson addressed especially to our land and age, teaching the dangers to which a federal system is exposed. But Barneveld died the unflinching advocate of a narrow theory of state rights. "Logic, law, historical tradition," to quote Mr. Motley's own words, "were on the side of the Advocate and the states-right party. The instincts of national self-preservation, repudiating the narrow and destructive doctrine of provincial sovereignty, were on the side of the States-General and the Church." Surely it is not for maintaining such a position, and at such a crisis, that the Advocate is held up before us as a

consummate statesman. Or is Barneveld, in this aspect of his career, meant to be regarded as a warning, as illustrating the peril of pushing to excess the theory of local sovereignties? At times the language of the author would seem to imply this. But we, in this country, need hardly go so far to learn this wholesome yet familiar lesson. And if this be the moral meant to be drawn from Barneveld's career, we are at a loss to know why, as a statesman, he should be so commended.

But beneath this question of national or provincial sovereignty there was involved another. It was the old question which has agitated Christendom since the day when Constantine gave the Church a legal recognition; the question with which the Middle Ages ring, which the Reformation raised afresh, and which to-day is agitating Europe more deeply than any other, — the question of the relation of Church and State. Barneveld himself, disinclined as he was to theological speculation, recognized it as one of the vital problems of the age. On this question the Reformed or Calvinistic churches had always held consistent ground. According to the theory of their great founder, the Church of Christ was complete within itself; no external power had a right to impose upon it dogma, discipline, or ministry; the functions of the civil magistrate ceased at the threshold of the sanctuary. To a national synod lay the ultimate ecclesiastical appeal. On the other hand, it was claimed by Barneveld, and this was the view which prevailed throughout Germany and England, that the supreme right of regulating church affairs belonged to the civil power, that is, in the Netherlands, to the provincial States and to self-electing municipal corporations. He looked upon questions of dogma as subordinate to questions of ecclesiastical administration; in other words, he deemed it of less importance to solve the problem of predestination than to settle who should appoint the parish schoolmaster. To all claims of the churches to regulate their own affairs, the Advocate had but one reply: "To my Lords the States-General every right belonged." It was for the Netherlanders to decide, says Mr. Motley, whether, after having shaken off the Holy Inquisition, they were now to submit to the imperious claims of the new church. May we not say in answer, using in part Mr. Motley's own expressive language, whether, having shaken off the Pope, they were now to intrust the direction of their spiritual concerns "to a board of ambitious shopkeepers"? We do not find the least fault with Barneveld for not rising superior to his age. The question was beset with difficulties. Mr. Motley presents these difficulties with great force and clearness. If shopkeepers were hardly fit to become foster-fathers of the

Church, neither were furious fanatics. There were strong arguments in favor of Barneveld's view. But we must hesitate to accord him an exceptional rank for upholding a thesis which was the commonplace of every petty prince who swilled beer and robbed churches, and shouted, "Cujus regio, ejus religio."

The portion of Mr. Motley's work where he seems to us to have labored with least success is in tracing the final stages of the struggle between Barneveld and Prince Maurice. For the illustrious son of William the Silent his admiration is undisguised. Next to Henry IV., Maurice had been, during the war, the most considerable personage in Europe. Nothing like his sieges, his campaigning, his discipline, had been seen before. He had fought with unsurpassed address and valor the most brilliant pitched battle of the age. He was the acknowledged master of the most royal of all sciences. Mr. Motley touches lightly upon the license of his private life, and though never a eulogist of formal piety, calls attention to the fact that the Prince was punctual in attendance upon public worship, and that he listened with patience to the discussion of religious truth. He claims for Maurice, what no doubt was true, that while he cared nothing for mere speculative questions of theology, he was sincerely disposed to support the tenets which his father had so earnestly embraced, and that his convictions fully coincided with his interests when he placed himself at the head of the Contra Remonstrant party. Mr. Motley also insists, and here too every intelligent reader of these volumes will go with him, that Maurice was guilty of no crime in aspiring to sovereign power. His father had been offered the throne of Holland, and his own personal qualifications and public services were certainly not of a nature to lessen, in the least, his claim to the same distinction. The Netherlands had not been a republic before the war; they had gradually drifted into one, not from choice, but because they could not find a king. In the weakly jointed confederation established by the Union of Utrecht, and in the threatening aspect of foreign politics, there were many reasons why a sincere patriot should favor a closer league. Should the office of Stadtholder be exchanged for that of Sovereign Count, there could be but one possible candidate for the position. At an earlier epoch Barneveld himself had strongly urged Maurice for this position. The Advocate afterwards took a very different view; but we can well understand how Maurice, burning with the recollection of that fearful day when his matchless skill had alone saved the Republic from the complete overthrow to which the obstinacy of Barneveld had exposed it, should have felt the peril of allowing campaigns to be directed any longer by civilians.

Mr. Motley states, with much fairness, the causes of the unhappy rivalry between the Advocate and Stadtholder. Dismissing as unworthy the least credit the oft-repeated stories of personal insult, he shows how they naturally and honestly came to be opposed. The division of sentiment respecting the Twelve Years' Truce left them the recognized leaders of two opposing factions, in which elements of religious as well as of political discord were combined. Up to this point all is clear, and the relations of the two antagonists present no difficulty. They were chiefs of rival parties, bitterly opposed, and the success of one would of necessity involve the political annihilation of the other. But deposition from office, or at most a not dishonorable exile, would seem to be the worst possible result of such a state of things. The Advocate himself, when his hour was darkest, appears to have anticipated nothing more severe. What influence was it that prompted the sudden arrest, and refused to mitigate the final sentence? The historian leaves us quite in the dark as to the secret forces that were here at work. He drops hints, but gives us no full explanation. It is to be regretted that his indefatigable research did not discover the solution of these questions. The Stadtholder certainly was not a cruel, neither was he a revengeful man. Deeply angered he no doubt was, but, with the great body of the nation at his heels, he had nothing further to fear from one so advanced in years and so unpopular as the Advocate. Nor is it easy to see what he had to gain from the death of one whose power was so completely broken. It seems a necessity to seek some other explanation of his course. Brave in action to a fault, the Prince was not always resolute of purpose. At times he was too much inclined to submit his own better judgment to the sway of others. In the memorable Nieuport campaign this want of decision showed itself in a striking manner. Is it not possible that here, too, his own purpose was overpowered; that when he seemed the instigator he was really the mere instrument; that he was forced beyond his original purpose of "a bloodless revolution," by the fierce zeal of the religious faction which supported him? This is Van Kampen's view, and it would have helped us much to trace the successive steps of this dark tragedy had Mr. Motley's researches tended to confirm it. In aiming at a political study of this period, Mr. Motley was fully justified in declining to enter upon the vexed questions which divided the theologians of Dort. Those who care for such discussions may find them fully reported in other works. We are grateful to Mr. Motley for giving us such clear insight into a controversy which has been known to the English reader only in the dreary folios of Brandt. But we cannot help

thinking that, in avoiding one extreme, he has gone too far into the other, and has hardly given prominence enough to the religious element in this great struggle. Mr. Motley, we are aware, holds strongly to the view which Secretary Lake expressed to Carleton, "that under the name of religion a civil end was shadowed"; but granting the correctness of this opinion, we still think that had he more carefully worked up the dark religious background of his canvas, some portions now indistinct might have been thrown into a clearer light. Certainly we rise from Brandt with the impression that the furious passions engendered by theological debate had a more direct connection with the final issue than Mr. Motley represents. That was a significant saying which Brandt somewhere quotes, that when Barneveld was called, in derision, the new John the Baptist, the retort was, — because his head had been presented in a charger to the Synod as a reward for having danced after the pipe of Herod. And skilful and interesting as Mr. Motley's treatment of his subject unquestionably is, and valuable and extensive as are his original contributions to our knowledge of this period, it may still be doubted whether somewhat less contempt for theological differences would not have added to his qualifications.

Of a writer of Mr. Motley's established reputation for untiring research it is scarcely necessary to add, that no source of information seems to have been overlooked. If he has left some questions still unsettled, we may infer that it was for the reason that the grounds for forming an opinion nowhere existed. As with his former publications, a large and most essential part of his material is derived from unpublished documents. The vast collection of letters, state papers, and minutes of judicial proceedings, so carefully preserved at the Hague, above all, the copious correspondence of Barneveld himself, have all been thrown open to his prolonged inspection. Among them were papers of the highest interest relating to the trial, which in consequence of an oath taken by the judges were long hidden from human view. The negotiations with England are illustrated from manuscripts preserved at Hatfield House. Printed authorities have also been diligently searched, though only in a single chapter does the author rely exclusively upon them.

In point of style these volumes compare favorably with Mr. Motley's other works. They have the marked characteristics with which we are so familiar. They show no falling off in brilliancy and vigor. A minute criticism might detect an infrequent sentence that seems involved, or an expression which a more delicate taste would slightly tone. A fault of which we feel more inclined to make complaint is

a trick of iteration which seldom allows a leading character to come upon the stage without a label setting forth his claims to our attention. We hardly need to be so continually reminded that Barneveld was the brain and Maurice the sword of the confederacy. But these are petty blemishes, which a little more careful revision would easily remove. We have no mind to hunt them out in pages that have yielded us so much instruction and so much delight. If at times Mr. Motley's writing seems slightly overstrained, and at times too vehement and rough, it has the supreme merit of being the counterpart of his thought. He always writes as he feels. His style, when most faulty, is forcible and racy; it goes straight to the mark; and, however unmusical, never lacks the sonorous ring of genuine metal. Had he written no other work than the present, he would have taken rank with the foremost historical investigators of our time; but when we remember the long series of volumes with which he has enriched our literature, volumes which have done so much to kindle our love of rational liberty, and confirm our faith in free institutions, we have no adequate words to express our admiration and gratitude.

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12. — *Memoirs of John Quincy Adams, comprising Portions of his Diary from* 1795 *to* 1848. Edited by Charles Francis Adams. Vol. II. Philadelphia: J. B. Lippincott & Co. 1874.

All that the reviewer can do at present, as these volumes rapidly follow one another, fresh from the press, is to point out in the briefest possible language the points in which each is likely to be considered as historically important. All effective criticism of the general character and ultimate value of the publication must be postponed until its completion.

The present volume opens to view for the first time the establishment of that policy of friendly relations between the United States and Russia which was intended to serve, and which has in fact served, as a check to the domination of Great Britain on the ocean.

This idea was first started by the Count de Vergennes soon after the alliance made by France with the American insurgents, and issued in that combination of the Northern powers under the lead of Catherine II., which has ever since been known under the name of the Armed Neutrality. Their declaration, made in 1780, at once roused the attention of both Great Britain and the American States. The latter immediately instituted a mission to St. Petersburg, and sent out Francis Dana as a diplomatic envoy to promote the move-

ment. On the other hand, Great Britain sent Harris, Lord Malmesbury, to counteract these operations even at the risk of war. The result was, that Mr. Dana was not received, Russia retreated from her ground, and the armed neutrality went for a time into abeyance.

The matter next came into agitation under the feeble reign of Paul I. British power had then become almost omnipotent, and applied its arbitrary principles equally over the commerce of all nations, whether enemies or neutrals. The effort of Russia to revive the armed neutrality in 1801 was immediately paralyzed by the prompt but disgraceful blow struck at the Danish fleet at Copenhagen. From that moment Great Britain became for many years the tyrant of the seas.

Paul was soon afterwards removed from power, and the youthful Alexander mounted the throne. Under these circumstances Russia bent once more, and patched up a species of reconciliation with Great Britain. But she was, nevertheless, a close observer of events, among which she did not fail to mark the rapid growth of the population and commerce of the United States, and the probabilities of a rivalry which might one day or another tend towards a restoration of something like balance of strength on the ocean. It thus became an object of her desire to establish with them the customary diplomatic relations between nations, which she had been deterred from doing in the year 1780. But the United States in the mean while had become so much wrapped up in their own complications, that they appear to have lost all interest or concern in the action of any of the European powers, except those belligerents with whom they were struggling to save their navigation.

Thus matters went on until the year 1809, when the relations between Great Britain and the United States became so entangled as to threaten sooner or later a total disruption. Russia, who had been closely watching the course of events, now thought it expedient to try overtures to diplomatic connections with America. These proposals appear to have come through various indirect channels to the ears of Mr. Jefferson, then President, some time before any public action was taken by him. At last, however, on the 24th February, 1809, he sent a message to the Senate alluding to these overtures, and assigning certain reasons for accepting them, and to that end nominated William Short as Minister Plenipotentiary to the court of Russia.

The Senate of the United States has rarely shown itself a very wise body in the management of the foreign affairs of the country. Occasionally it has made very grave mistakes. In this instance,

whether from jealousy of the person nominated or from a feeble conception of the relative importance of the powers of Europe, the result was the grave adoption, by a unanimous vote, of a resolution in substance to the effect that the mission was not worth the cost of the support of a minister; and that if there should be need of some one at St. Petersburg at any time, any one of the envoys at other courts might be detached for the moment to transact the business. A proceeding more offensive to a leading power like that of Russia could scarcely have been devised. The course was as short-sighted as the mode of executing it was boorish. If the Senate was bent upon this kind of narrow economy, it would have been far better for the national record if the reasons had been suppressed, and members had confined themselves to the mystery of a silent negative vote.

One week passed away, in the course of which Thomas Jefferson ceased to be President and James Madison was installed in his place. But as the latter had only stepped into it from the State Department, which he had occupied during the whole term of his predecessor, there had been no change of policy. On the 6th of March, Mr. Madison, not discouraged by the issue of the last vote of the Senate, returned to the charge. The only change he made was of the man nominated. This time it was Mr. John Quincy Adams. On this occasion the mode of action was far more consistent with propriety, whatever may have been the motives of some of the actors. It was resolved, by a vote of seventeen to fifteen, that it is *inexpedient* at this time to appoint a minister from the United States to the court of Russia. Mr. Lloyd, Mr. Pickering, Mr. Hillhouse, and Mr. Goodrich were doubtless gratified by inflicting this punishment upon Mr. Adams for grievances suffered when himself an actor on that floor; but if that was their sole motive, their pleasure was destined to be transient. For, three months later, the pressure for the ordination of such a mission had so much increased, that on the 26th June, Mr. Madison, being fortified with new evidence of its expediency, the only objection raised in the former case, again sent in the nomination of Mr. Adams. And this time the ratification of the nomination left the seven Federalists with none but mere personal grounds to justify their negative vote.

Thus it was that this important step was taken by the United States. It was indispensable to the success of this enterprise that the man selected should be equal to the critical position in which he was to be placed. Unlike all ordinary posts of this kind, where one man is as good as another, provided (which is not always the case, by the way) he comprehends the rules of good-breeding, and is willing to act on

them, the effect in this case was to depend on the result of first impressions. If the foundations of confidence and good-will and mutual respect were once well laid, the entire superstructure of harmony and co-operation might be raised at pleasure. It is in this light that the narrative contained in this volume of the Diary finds its chief claim to historical value. It here appears that, by Mr. Adams's uniform and constant manifestation of singleness of purpose throughout his long and frequent conferences with Count Romanzoff, he established relations which grew firmer and firmer during the whole five years that his mission lasted. Through the good-will of the Count, the same impression was made on the Emperor Alexander himself. Probably no sovereign who ever mounted that throne was animated with a more conscientious desire to perform his duties faithfully than Alexander. It was a fortunate event that the inception of these diplomatic relations with America took place under his rule. It was also fortunate that the subsequent relations between the two countries were directed by Mr. Adams for twelve years after he returned to the United States. The policy thus adopted has from that day continued with little intermission down to the present time. Neither has it been seriously interrupted, even by the presence now and then at either post of some very questionable envoys.

A remarkable example of the effect of Mr. Adams's course in inspiring confidence in his integrity is to be found in the frankness with which he communicated with Count Romanzoff touching the correspondence that passed through his hands between the Roman Catholic clergy in the two countries, and also the refusal to countenance in any shape the devices of Liverpool traders to pass their merchandise into Russia under the shelter of forged American papers. That a great deal of this was attempted during the great struggle between Napoleon and the British there can be no doubt, and much was successfully executed. But so far as Mr. Adams was concerned, he never failed to denounce the fraud wherever he traced it. It was the confidence thus earned with the government that led to the liberation of the large number of true American vessels and cargoes, which were on the point of condemnation and forfeiture on suspicion of their origin. Many of these were not released until brought under the cognizance of the Emperor himself, who was mainly impelled to the act by reliance on Mr. Adams's representations.

In the same way Mr. Adams appears to have earned the confidence of the French ambassadors, for a while so powerful in the Russian court. The conversations with Messrs. Caulaincourt and Lauriston are full of interest, from the freedom in which they talk of the impor-

tant events passing under their consideration. The account of the state of feeling in St. Petersburg pending the critical period of Bonaparte's campaign in 1812 is likewise noteworthy; the successive reports of good or bad fortune, the alternation of hopes and fears, the jubilee and the lament, which give so fearful a picture of the vicissitudes of war. At one time the archives of most of the legations of foreign powers at St. Petersburg were confided to the care of Mr. Adams.

But altogether the most curious portion of the volume consists in the exposition made, as is believed, for the first time, of the singular history of the Russian proposal for mediation between Great Britain and the United States. That this step originated in the same mind which prompted the establishment of diplomatic relations with America, the mind of the Russian Prime Minister, Count Romanzoff, can scarcely admit of a doubt. It had been his purpose, while maintaining friendly relations with Napoleon, to sow for future use the seeds of kindly sympathies with America. The time when this policy went into effect was eminently favorable, for there happened to be just then no British embassy at St. Petersburg, and Mr. Adams, when he arrived, had the whole field to himself. How successfully he adapted himself to the circumstances is to be seen in this volume. When the war between England and the United States absolutely broke out, the conferences between the Count and himself became more and more intimate, until they issued in the Russian proposal of mediation addressed to both the hostile powers.

But when Napoleon became at last so besotted as, towards the close of the year 1812, to undertake the dangerous enterprise of a distant war in arctic regions, a change came over the face of things. Alexander decided to place himself at the head of his armies, and to enter into a league with all other powers at enmity with Napoleon. From that moment an alliance with Great Britain became an object to the Emperor. Count Romanzoff, left at home at St. Petersburg, could not cope with those officers immediately around the sovereign, who urged recourse to this change of policy. The proposal of mediation had been felt by England as offensive, and hence seems by some means not yet explained to have been put out of sight. An ambassador was sent by Great Britain to Russia, through whose givings out in this work we catch more knowledge of what happened than from any other source. The upshot of it all was that Great Britain avoided the awkward alternative of refusing the advance, by declaring herself prepared to negotiate directly. Hence followed the negotiation at Ghent, and the disgrace of America's best friend, Count

Romanzoff. Very certainly Lord Walpole did little on his part to conciliate anybody. The British diplomatic service has generally been quite free from all reputation of seeking its objects by those agreeable yet artful devices which are identified with the foreign policy of Continental nations. They compensate in a measure for their superciliousness by their frankness. Be this as it may, the situation of the two commissioners sent out by the United States with some precipitation, as must be admitted, before learning the response from the other party, was not without its comic side, especially in the case of Mr. Gallatin, who suffered the additional mortification of hearing, on his arrival, that the Senate had rejected his nomination by the President. A minister without a commission, to negotiate under a mediation rejected by one of the parties, presents a spectacle altogether unique in the history of diplomacy. Luckily for Mr. Adams, all this flurry passed over his head without a moment's disturbance of his equanimity. But his narration will remain probably the only evidence of a very interesting passage in our diplomatic annals.

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13. — *Ingo: The First Novel of a Series entitled Our Forefathers.* By Gustav Freytag, Author of "Debit and Credit," "The Lost Manuscript," etc. Translated from the German by Mrs. Malcolm. New York: Holt and Williams. 1873.

Ingraban: The Second Novel of a Series entitled Our Forefathers. By Gustav Freytag, Author of "Debit and Credit," "The Lost Manuscript," etc. Translated from the German by Mrs. Malcolm. New York: Henry Holt & Co. 1873.

Gustav Freytag, if we understand his Preface aright, has undertaken to reconstruct the typical German of the fourth and the eighth century very much as Cuvier would have reconstructed an extinct animal. The traditional German character, combining a taste for profound scholarly research with a certain grave imaginativeness, is admirably equipped for such a task; and Freytag, whose previous works have established his authority both as a novelist and as an historian, has proved himself to be in an eminent degree possessed of the characteristic excellences of his race. In his early youth he wandered in the footsteps of Gutzkow and the "Young Germans," then some latent romantic tendencies came to the surface, and at last in "Debit and Credit" he broke with his own past, and clearly defined his social and artistic creed. "The novel must seek the German people where it is to be found in its strength," says Julian

Schmidt, "that is, at its labor"; and Freytag has adopted this maxim, prefixed it as a motto to his most important work. It was high time that those mild epicurean *dilettanti* of the "Wilhelm Meister" type should be, once for all, dethroned. Harmonious culture, to be sure, was a very good thing, but it was not the sole aim and object of life; it was rather itself a means to an end, and this end was labor, usefulness. The poets of the classic period had unduly extolled the easy, pleasure-loving existence of a petty nobility, whose wealth and political privileges had enabled it to cultivate the amenities of life, and to develop an external splendor quite beyond the reach of the plain, hard-working citizen. The readers of "Wilhelm Meister" will, no doubt, remember how strongly the author emphasizes the importance of an independent bearing, an aristocratic appearance, etc. Jean Paul, Immermann, and Gutzkow worship the same ideal of social perfection; and even Freytag has, in his "Waldemar," paid his homage to the same idol which in his thirty-ninth year he deliberately overthrew. In the mean while the political and social aspect of Germany had undergone great and vital changes, and what could easily be accounted for so long as the country was but an aggregate of disconnected districts, would have been altogether inexcusable in the citizen of the aspiring, wide-awake state of to-day. Goethe was undeniably justified in his complaints that the Germans were no nation, and that he, as a poet, had, properly speaking, no public; but since then five eventful decades of war and revolution have roused the people from its former lethargy, and Freytag can now safely raise his voice with the consciousness of being heard wherever the German tongue is spoken. The direct results of this national reawakening are an increased activity in public life, and a consequent increase in the demand for intellectual as well as manual labor. Whoever expects to maintain an exalted position in the society of to-day must have other things to do than to roam around the world in pursuit of culture, or to arrange private theatricals for the edification of a family of noble idlers. Thus the classes who, by dint of their labor, have become indispensable to the state, — merchants, teachers, journalists, tradesmen, etc., — are entitled to a corresponding social recognition, and the nobility, in the old sense of the word, has no longer a *raison d'être*, and must therefore cease to exist. This is, if we have judged Freytag aright, the *morale* of those of his works which have appeared since 1855. The fact that as a poet he keenly delights in the rich picturesqueness of the life which his better judgment has doomed to destruction, that he frequently lends a pathetic interest to the characters which in the end he ruthlessly strikes down, need in

no way lead us astray as to the sincerity of his convictions. Baron Rothsattel, in "Debit and Credit," is the model of a gentleman, polished, easy, and agreeable, kindly and patronizing towards his inferiors, and, in the first stage of our acquaintance with him, apparently irreproachable in conduct and character. If he had been arrogant and dissolute like Spielhagen's nobles, we should have had no reason to mourn his final downfall; but, far from it, even the lurking weaknesses of his nature, which gradually pave the way to his destruction, seem inherent in his position; they are the inevitable results of his education and early training, and we feel more inclined to throw the responsibility upon society for having made him such, than on himself for being as he is. Nevertheless, the stern law remains unchanged. Such as he is, the world has no more use for him, and the only alternative for him and his like is to descend from their high pedestals, and by labor to conquer a place for themselves or to perish. The former Rothsattel cannot do, and accordingly he does the latter. In Spielhagen we justly blame the ever-recurring inconsistency of first representing the nobles as a dissolute and worthless race, and then in the end making his hero the bastard of some aristocratic libertine. The cheapness of such a trick is too apparent to need demonstration, and to our mind it obviously weakens the effect, and is at variance with the author's professedly democratic purpose. Freytag, on the other hand, seems to regard the nobility very much as certain European sentimentalists do the North American Indians; through no fault of their own, they have become superfluous in the modern economy of the world, and the Damocles sword of Fate is suspended over their heads. Even if his view is incorrect, as possibly it may be, it involves no inconsistency.

The first novel of the present series opens with the flight of the young Vandal prince, Ingo, from a disastrous battle, in which he and his allies, the Allemanni, have been defeated by the Roman army; but during the engagement he has succeeded in slaying the standard-bearer of the enemy, and in carrying off the imperial banner. This daring deed has filled the land with his fame, and Cæsar has set a price on his head. He reaches the court of the Thuringian prince, Answald, who is a guest-friend of his father's, meets with a friendly reception, and wins the love of his host's only daughter, Irmgard. But it is contrary to the customs of the country that a chief's daughter should marry a foreigner, and moreover the maiden has already been promised to Theodulf, a relative of her mother's. On a hunting excursion Ingo and Theodulf quarrel about a wild bull, which they both claim to have slain, and to settle the dispute they

fight in single combat on an island in a neighboring stream. The Thuringian is conquered, but Ingo magnanimously spares his life. Nevertheless, his situation becomes daily more intolerable to him among the forest people, and when at length Prince Answald breaks his oath to him, he departs with a few trusty followers of his own nation, who have sought him in his exile. At the court of King Bisino new dangers await him. The beautiful queen, Gisela, conceives an unholy passion for him. Cæsar sends ambassadors to the king to demand his surrender to the Romans, and, after a stirring adventure in the queen's bedchamber, he compels her husband to permit him to depart in peace. With his Vandal friends, and a few hundred Thuringian peasants whose confidence and admiration he has gained during his residence in Answald's land, Ingo makes an independent settlement near the boundary of the Burgundian territory, carries off his beloved by night from her father's house, and lives for a year happily at his own hearth. In the mean while King Bisino has died, and Queen Gisela pays a hasty visit to Ingo, confesses her love for him, and offers him a seat at her side on the throne; but he rejects her proposal with scorn. Gisela gathers an army. Theodulf, the unhappy wooer, and Answald, Irmgard's father, join her. They fire the hero's house, and after a desperate defence Ingo and his wife perish in the flames. But the son whom Irmgard has lately borne him is saved, and from him descends Ingraban, from whom the second novel of the series derives its name.

The intense coloring and the rugged strength of the portaits in Ingraban form an agreeable contrast to the paleness of tint and hazy monotony of its predecessor. Prince Answald and King Bisino, to be sure, have tolerably marked countenances; but the hero, Ingo, and his virtuous bride, would have assumed a more distinct individuality to our minds, and gained a stronger hold on our affections, if we had been permitted to suspect that their characters contained a slight admixture of human imperfection.

Freytag's style never leaves anything to wish; in "Debit and Credit" it possesses an easy grace and perspicuity seldom matched by writers of his nation. In "The Lost Manuscript," as the passions there brought into play demand a broader treatment, it gradually rises into a loftier dignity, in accordance with the requirements of the plot; and the present simple tales of early Teutonic life display a primitive vigor and a nervous brevity of expression which would have been well worthy of Tacitus. In fact, the descriptions of the drinking-bout at the court of King Ratiz, and the game of dice on which Ingraban stakes his liberty, read very much like a chapter from the Roman historian,

while the epigrammatic pithiness of the dialogue frequently reminds one of the old Norse Sagas. And doubtless the author has drawn liberally on both these sources for his material.

Ingraban deals with that favorite problem of dramatists and romancers, the early struggle of Christianity with Paganism. However, the problem, as such, claims but a slight share of the author's attention; the relative merit of the two religions troubles him but little; he looks upon them from a strictly historical point of view, and traces with an exquisite appreciation of details the gradual changes in the modes of thought and in the manners and customs of the Thuringians under the influence of the new faith. The opening chapter records a missionary journey of Bishop Winfried (St. Boniface), the apostle of Germany, under the guidance of the heathen Ingraban. The ride through the primeval forest, the preparations for the night-camp, and the arrival at the house of the delinquent priest, Memmo, are depicted with a quiet earnestness and a certain *naive* directness, which immediately win the heart of the reader. The little bits of exquisite landscape and *genre* painting, in which the story abounds, display, when viewed separately, an almost pre-Raphaelite severity of outline, and the pale gold-ground of remote antiquity lends to each individual picture a bolder grandeur and relief. As already intimated, the author is in perfect sympathy with the spirit of the times he has undertaken to portray; he does not speak with the voice, or judge with the critical fastidiousness of the nineteenth century. He has succeeded in viewing his characters objectively, and in projecting them bodily before our eyes. He is hale and hearty with the heathen, merry, reckless, and rough in the hall of King Ratiz and his lusty carousers, and grave, devout, and decorous when confronted with the venerable bishop. But apropos of the bishop. We left him in the gloom of Thuringian forest. His destination is the missionary outpost of the priest Memmo, whom he severely rebukes for his backslidings, scares his women away from his house, and establishes a stricter discipline. Having been informed that a number of Christian women and children have been led into captivity by Ratiz, the king of the Sorbes, he sends his nephew, Gottfried, a young monk, and Ingraban, the guide, to ransom them. Among the captives is Walburg, a Christian maiden, whom Ingraban loves, and whom, after a series of dangerous adventures, he succeeds in rescuing from thraldom and infamy. Before leaving the hostile camp, where he has lost his liberty in a game of dice, his friends set fire to the Sorbe village, and Ingraban has to flee for his life, while Gottfried conducts Walburg in safety to the Christian set-

tlement. On his return to his own country the hero insults the bishop, to whose magic he imputes the existing estrangement between him and his beloved, and finally makes an attempt on his life. In consequence of this he is made an outlaw, and takes up his abode in the forest, far from the haunts of men. Walburg, who has always secretly loved him, seeks him in his solitude, but refuses to live with him as his wife until the bishop shall have consecrated their union. Accidentally he learns that the Sorbes are contemplating an attack upon the Thuringian village to avenge the burning of their camp, and at the risk of his life he rides to the Christian chiefs, and conveys the intelligence to them. Ratiz appears with his warriors, but very opportunely a large army of the Franks arrives from the South, and the Christians are saved. Ingraban distinguishes himself in the battle, and the sentence of outlawry is repealed. He finally adopts the Christian faith, and is united to Walburg. For many years he lives in peace and prosperity, and begets sons and daughters, until he is summoned by Winfried, then Archbishop of Mayence, to accompany him on a journey to convert the heathen Frieslanders. Ingraban accepts the summons, and suffers the death of a martyr with his venerable master.

In Freytag, as the apostle of labor, we might justly expect to find vividly animated pictures of activity and strife rather than idyllic vagaries and speculations. The labor of the primitive Teutons was mainly war and the chase; the cultivation of their farms they left to their thralls. And in the present instance he dwells as fondly upon the details of attack, defence, and warlike games, as in "Debit and Credit" he carried us through the daily business routine in T. O. Schröter's office, or as in "The Lost Manuscript" he followed the profound researches of the learned professor. An author naturally labors under a disadvantage when dealing with a period long gone by, whose very strangeness removes it, if not beyond the reach of the reader's intelligence, at least beyond the horizon of his sympathies. Ingo, we confess, left us comparatively cold; the hero had too little individuality, and was too ideally perfect to enlist our heartfelt interest. But in Ingraban Freytag seems to have warmed up to his work, and the physiognomy of the stubborn, hot-headed lover, as well as the rugged beauty of the bishop's character, are sufficiently lifelike and national to touch a deeper sentiment in our breasts than that of mere curiosity. Inexpressibly touching is the silent tragedy of Gottfried's life, told rather by what is implied than by express words. The brief glimpses we get of the priest Memmo, who, when the heathen refuse to listen to him, teaches his *kyrie eleison* to the ravens, are infinitely quaint and pleasing.

We have no hesitation in heartily recommending the series to which the novels here noticed belong (and a third of which has lately appeared in German), although we are well aware that to the average American novel-reader their perusal may prove a task rather than a pleasure. To Germans, however, these tales would give great satisfaction, even if their artistic merits were far less than we have indicated. Recording, as they do, the great deeds and the characteristic virtues of his forefathers, they are sure to find a ready response in the bosom of every patriotic Teuton.

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14. — *Lex Salica herausgegeben.* Von J. Fr. Behrend. *Nebst den Capitularien zur Lex Salica bearbeitet.* Von Alfred Boretius. Berlin. 1874.

Professor Behrend of the University of Greifswald had already conceived and in a broad way sketched out the plan of his new edition of the *Lex Salica* in a pamphlet written in honor of the fiftieth *Doctor Jubilæum* of his venerable master, Professor Homeyer of the Berlin University, in whose school nearly all the Germanists of the present day were formed. This plan was followed by a first instalment of the edition as it was intended to appear, comprising the Cap. I.–VIII. of the *Lex Salica.* The pamphlet appeared in 1871, and is now followed by the complete work.

The historical importance of the *Lex Salica* has been often and recently explained to the readers of this Review; and to the numerous and increasing class of students busied with the philosophy and origin of law and society, every new fact relating to the Lex, especially the appearance of a new and improved edition, is of special interest. The editor begins by explaining in his Preface the point of view at which he places himself in order to do the work. He then furnishes a table of the relations of the various chapters with each other, according to the different manuscripts. In a second appendix he groups the different manuscripts by families. In a third he indicates in a table the relation of the different editions of the *Lex Salica* which have been published heretofore. Then follows the text itself, and the Capitularies edited by Mr. Boretius. The *Extravaganten,* the Prologues and Epilogues, the *Remissorien,* are thrown together at the end of the volume, which concludes with an index or register of words and expressions.

Before examining further the work of Professor Behrend, it may be well to explain briefly the points of view which have been taken

by the modern editors of this celebrated law. Pardessus in his *Loi Salique*, published in 1843, reproduced purely and simply the eight fundamental texts. These texts form the basis of Waitz's edition in his work on *Das alte Recht der Salischen Franken*, in 1846, in which he proposed to himself to re-establish the Lex, so far as possible, in its primitive form. Merkel, whose edition succeeded that of Waitz, started from the supposition that the four distinctly recognized types of texts are merely revisions succeeding one another, originating at different epochs, and aiming to record such modifications of legislation as had been produced in the interval between one revision and its successor. Hence Merkel presents these modifications in the fundamental text as *Novellæ*. To us this division appears, however, purely artificial, and wanting even the merit of clearness. As for the subsequent edition of Hubé, it amounts only to the reproduction of a simple text contained in a manuscript, which, after having belonged to the College Clermont at Paris, passed into Keller's library, and thence to Warsaw, where it still remains.

Professor Behrend, in his turn, proposes to present the texts which are extant in such a manner as to bring into prominence the relations between them; an order which is simply systematic and the result of bringing the texts together, without any artificial arrangement like that of Merkel. His *Textapparat* consists of the eight texts of Pardessus and that of Hubé. These texts may be arranged in five families: 1. The four manuscripts containing the short text of sixty-five chapters; 2. The two manuscripts containing the longer text in sixty-five chapters; 3. The nine manuscripts containing the text in ninety-nine chapters; 4. The manuscripts, most numerous of all, containing the Lex Salica Emendata; 5. The text edited by Herold, which, according to Professor Behrend, is the copy of a lost manuscript, and not, as admitted by Merkel, and as we had till now supposed most likely, a combination of materials extracted from several manuscripts at once.

The principal characteristics of the new edition may be very briefly characterized. The editor has taken for his fundamental text the first text of Pardessus, from which he has departed only where the reading appears to be inexact. Such additions as are offered by comparison of the other texts are indicated wherever required, with the mention *Zusatz*, and a parenthesis notes the text which is their source. Besides these additions, the most important variations follow each paragraph immediately, while the other simple variations are consigned to foot-notes. And finally, the Malberg glosses are borrowed from Pardessus and from Merkel.

In this concise form, the present edition is certainly the best that has yet appeared. It is methodical. It takes as its starting-point no mere hypothesis like that of Merkel. Yet after all, it is little more than the edition of Pardessus in a concentrated form and in fewer pages. As such, it is more convenient and more manageable for scholars; and it contains some valuable corrections. But science is still far from having said its last word on the subject of this law, so interesting and so important as containing the germ of Germanic institutions. We notice with pleasure the remark of Professor Behrend, that he proposes later to attempt to establish the genealogical connection of these texts. It is certainly true that the history of this celebrated text has not yet been written, but at least, by this preliminary work, Professor Behrend may perhaps diminish a little the difficulty of the scientific problem.

Mr. Boretius, who edits the Capitularies to the *Lex Salica*, has recently published a work entitled *Beiträge zur Capitularienkritik*. These two works naturally belong together, and at some future time it may be well to call attention to them.

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14. — *The Legend of Jubal, and other Poems.* By George Eliot. William Blackwood and Sons: Edinburgh and London. 1874.

When the author of "Middlemarch" published, some years since, her first volume of verse, the reader, in trying to judge it fairly, asked himself what he should think of it if she had never published a line of prose. The question, perhaps, was not altogether a help to strict fairness of judgment, but the author was protected from illiberal conclusions by the fact that, practically, it was impossible to answer it. George Eliot belongs to that class of pre-eminent writers in relation to whom the imagination comes to self-consciousness only to find itself in subjection. It was impossible to disengage one's judgment from the permanent influence of "Adam Bede" and its companions, and it was necessary, from the moment that the author undertook to play the poet's part, to feel that her genius was all of one piece. People have often asked themselves how they would estimate Shakespeare if they knew him only by his comedies, Homer if his name stood only for the "Odyssey," and Milton if he had written nothing but "Lycidas" and the shorter pieces. The question, of necessity, inevitable though it is, leads to nothing. George Eliot is neither Homer nor Shakespeare nor Milton; but her work, like theirs, is a massive achievement, divided into a supremely good and a less good, and it provokes

us, like theirs, to the fruitless attempt to estimate the latter portion on its own merits alone. The little volume before us gives us another opportunity; but here, as before, we find ourselves uncomfortably divided between the fear, on the one hand, of being bribed into favor, and, on the other, of giving short measure of it. The author's verses are a narrow manifestation of her genius, but they are an unmistakable manifestation. "Middlemarch" has made us demand even finer things of her than we did before, and whether, as patented readers of "Middlemarch," we like "Jubal" and its companions the less or the more, we must admit that they are characteristic products of the same intellect. We imagine George Eliot is quite philosopher enough, having produced her poems mainly as a kind of experimental entertainment for her own mind, to let them commend themselves to the public on any grounds whatever which will help to illustrate the workings of versatile intelligence, — as interesting failures, if nothing better. She must feel they are interesting; an exaggerated modesty cannot deny that.

We have found them extremely so. They consist of a rhymed narrative, of some length, of the career of Jubal, the legendary inventor of the lyre; of a short rustic idyl in blank verse on a theme gathered in the Black Forest of Baden; of a tale, versified in rhyme, from Boccaccio; and of a series of dramatic scenes called "Armgart,"—the best thing, to our sense, of the four. To these are added a few shorter pieces, chiefly in blank verse, each of which seems to us proportionately more successful than the more ambitious ones. Our author's verse is a mixture of spontaneity of thought and excessive reflectiveness of expression, and its value is generally more in the idea than in the form. In whatever George Eliot writes, you have the comfortable certainty, infrequent in other quarters, of finding an idea, and you get the substance of her thought in the short poems, without the somewhat rigid envelope of her poetic diction. If we may say, broadly, that the supreme merit of a poem is in having warmth, and that it is less and less valuable in proportion as it cools by too long waiting upon either fastidious skill or inefficient skill, the little group of verses entitled "Brother and Sister" deserve our preference. They have extreme loveliness, and the feeling they so abundantly express is of a much less intellectualized sort than that which prevails in the other poems. It is seldom that one of our author's compositions concludes upon so simply sentimental a note as the last lines of "Brother and Sister":—

> "But were another childhood-world my share,
> I would be born a little sister there!"

This will be interesting to many readers as proceeding more directly from the writer's personal experience than anything else they remember. George Eliot's is a personality so enveloped in the mists of reflection that it is an uncommon sensation to find one's self in immediate contact with it. This charming poem, too, throws a grateful light on some of the best pages the author has written, — those in which she describes her heroine's childish years in "The Mill on the Floss." The finest thing in that admirable novel has always been, to our taste, not its portrayal of the young girl's love-struggles as regards her lover, but those as regards her brother. The former are fiction, — skilful fiction; but the latter are warm reality, and the merit of the verses we speak of is that they are colored from the same source.

In "Stradivarius," the famous old violin-maker affirms in very pregnant phrase the supreme duty of being perfect in one's labor, and lays down the dictum, which should be the first article in every artist's faith: —

> "'T is God gives skill,
> But not without men's hands: He could not make
> Antonio Stradivari's violins
> Without Antonio."

This is the only really inspiring working-creed, and our author's utterance of it justifies her claim to having the distinctively artistic mind, more forcibly than her not infrequent shortcomings in the direction of an artistic *ensemble*. Many persons will probably pronounce "A Minor Prophet" the gem of this little collection, and it is certainly interesting, for a great many reasons. It may seem to characterize the author on a number of sides. It illustrates vividly, in the extraordinary ingenuity and flexibility of its diction, her extreme provocation to indulge in the verbal license of verse. It reads almost like a close imitation of Browning, the great master of the poetical grotesque, except that it observes a discretion which the poet of Red-Cotton Nightcaps long ago threw overboard. When one can say neat things with such rhythmic felicity, why not attempt it, even if one has at one's command the magnificent vehicle of the style of "Middlemarch"? The poem is a kindly satire upon the views and the person of an American vegetarian, a certain Elias Baptist Butterworth, — a gentleman, presumably, who under another name, as an evening caller, has not a little retarded the flight of time for the author. Mr. Browning has written nothing better than the account of the Butterworthian "Thought Atmosphere": —

"And when all earth is vegetarian,
When, lacking butchers, quadrupeds die out,
And less Thought-atmosphere is reabsorbed
By nerves of insects parasitical,
Those higher truths, seized now by higher minds,
But not expressed (the insects hindering),
Will either flash out into eloquence,
Or, better still, be comprehensible,
By rappings simply, without need of roots."

The author proceeds to give a sketch of the beatific state of things under the vegetarian *régime* prophesied by her friend in

"Mildly nasal tones
And vowels stretched to suit the widest views."

How, for instance,

"Sahara will be populous
With families of gentlemen retired
From commerce in more Central Africa,
Who order coolness as we order coal,
And have a lobe anterior strong enough
To think away the sand-storms."

Or how, as water is probably a non-conductor of the Thought-atmosphere,

"Fishes may lead carnivorous lives obscure,
But must not dream of culinary rank
Or being dished in good society."

Then follows the author's own melancholy head-shake and her reflections on the theme that there can be no easy millennium, and that

"Bitterly
I feel that every change upon this earth
Is bought with sacrifice";

and that, even if Mr. Butterworth's axioms were not too good to be true, one might deprecate them in the interest of that happiness which is associated with error that is deeply familiar. Human improvement, she concludes, is something both larger and smaller than the vegetarian bliss, and consists less in a realized perfection than in the sublime dissatisfaction of generous souls with the shortcomings of the actual. All this is unfolded in verse which, if without the absolute pulse of spontaneity, has at least something that closely resembles it. It has very fine passages.

Very fine, too, both in passages and as a whole, is "The Legend of Jubal." It is noteworthy, by the way, that three of these poems are

on themes connected with music; and yet we remember no representation of a musician among the multitudinous figures which people the author's novels. But George Eliot, we take it, has the musical sense in no small degree, and the origin of melody and harmony is here described in some very picturesque and sustained poetry. Jubal invents the lyre and teaches his companions and his tribe how to use it, and then goes forth to wander in quest of new musical inspiration. In this pursuit he grows patriarchally old, and at last makes his way back to his own people. He finds them, greatly advanced in civilization, celebrating what we should call nowadays his centennial, and making his name the refrain of their songs. He goes in among them and declares himself, but they receive him as a lunatic, and buffet him, and thrust him out into the wilderness again, where he succumbs to their unconscious ingratitude.

> "The immortal name of Jubal filled the sky,
> While Jubal, lonely, laid him down to die."

In his last hour he has a kind of metaphysical vision which consoles him, and enables him to die contented. A mystic voice assures him that he has no cause for complaint; that his use to mankind was everything, and his credit and glory nothing; that being rich in his genius, it was his part to give, gratuitously, to unendowed humanity; and that the knowledge of his having become a part of man's joy, and an image in man's soul, should reconcile him to the prospect of lying senseless in the tomb. Jubal assents, and expires

> "A quenched sun-wave,
> The all-creating Presence for his grave."

This is very noble and heroic doctrine, and is enforced in verse not unworthy of it for having a certain air of strain and effort; for surely it is not doctrine that the egoistic heart rises to without some experimental flutter of the wings. It is the expression of a pessimistic philosophy which pivots upon itself only in the face of a really formidable ultimatum. We cordially accept it, however, and are tolerably confident that the artist in general, in his death-throes, will find less repose in the idea of a heavenly compensation for earthly neglect than in the certainty that humanity is really assimilating his productions.

"Agatha" is slighter in sentiment than its companions, and has the vague aroma of an idea rather than the positive weight of thought. It is very graceful. "How Lisa loved the King" seems to us to have, more than its companions, the easy flow and abundance of prime poetry; it wears a reflection of the incomparable naturalness of its model in the Decameron. "Armgart" we have found extremely interesting,

although perhaps it offers plainest proof of what the author sacrifices in renouncing prose. The drama, in prose, would have been vividly dramatic, while, as it stands, we have merely a situation contemplated, rather than unfolded, in a dramatic light. A great singer loses her voice, and a patronizing nobleman, who, before the calamity, had wished her to become his wife, retire from the stage, and employ her genius for the beguilement of private life, finds that he has urgent business in another neighborhood, and that he has not the mission to espouse her misfortune. Armgart rails tremendously at fate, often in very striking phrase. The Count, of course, in bidding her farewell, has hoped that time will soften her disappointment: —

> "That empty cup so neatly ciphered, 'Time,'
> Handed me as a cordial for despair.
> Time — what a word to fling in charity!
> Bland, neutral word for slow dull-beating pain, —
> Days, months, and years!"

We must refer the reader to the poem itself for knowledge how resignation comes to so bitter a pain as the mutilation of conscious genius. It comes to Armgart because she is a very superior girl; and though her outline, here, is at once rather sketchy and rather rigid, she may be added to that group of magnificently generous women, — the Dinahs, the Maggies, the Romolas, the Dorotheas, — the representation of whom is our author's chief title to our gratitude. But in spite of Armgart's resignation, the moral atmosphere of the poem, like that of most of the others and like that of most of George Eliot's writings, is an almost gratuitously sad one. It would take more space than we can command to say how it is that at this and at other points our author strikes us as a spirit mysteriously perverted from her natural temper. We have a feeling that, both intellectually and morally, her genius is essentially of a simpler order than most of her recent manifestations of it. Intellectually, it has run to epigram and polished cleverness, and morally to a sort of conscious and ambitious scepticism, with which it only half commingles. The interesting thing would be to trace the moral divergence from the characteristic type. At bottom, according to this notion, the author of "Romola" and "Middlemarch" has an ardent desire and faculty for positive, active, constructive belief of the old-fashioned kind, but she has fallen upon a critical age and felt its contagion and dominion. If, with her magnificent gifts, she had been borne by the mighty general current in the direction of passionate faith, we often think that she would have achieved something incalculably great.

15. — *Geschichte des ehelichen Güterrechts in Deutschland.* Von Richard Schröder, Professor der deutschen Rechte in Würzburg. *I. Theil: Die Zeit der Volksrechte. II. Theil.* 1. *Abtheilung: Das alamannische und bairische Recht.* 2. *Abtheilung: Das fränkische Recht des Mittelalters.* 3. *Abtheilung: Das sächsische und das friesische Recht.* Stettin. Danzig. Elbing. 1874.

This work is particularly creditable to German historical science. The author had originally the intention of writing the history of married women's property in Germany, from its origin to our own times. Then, as often happens, he narrowed the limits of his work, without, however, diminishing its value from the historical point of view, though it ends with the Middle Ages. This is owing to the fact that the law regulating the condition of property between husband and wife completed its development at the end of the Middle Ages and henceforward lost its vital force, so that its ultimate fate has less interest to the historian.

It seemed as though the task which Professor Schroeder has accomplished were likely to remain long impracticable. When one reflects upon the enormous mass of original authorities, many of which are still unpublished, with which the author must familiarize himself; when one casts an eye over the register at the end of this work, containing a table of the local customary laws of Germany in their immense variety; when one thinks of the voluminous literature which must be read and which is alone so formidable to the student, — one is at a loss whether to wonder most at Professor Schroeder's laborious patience, his capacity for work, or his sagacity as a jurist and historian which enables him to detect the thread of a general law in this infinity of isolated details. With all this, and as indeed was to be expected, it is very difficult for the reader, even though he is tolerably habituated to German modes of exposition, to make himself thoroughly master of this great quantity of material. On account of this difficulty it is to be feared that Professor Schroeder's book will be slow to exercise its due influence either on strictly legal or on historical and institutional publications in Germany, and if it is slow to influence Germany there is little chance of its finding appreciation elsewhere.

In his first part Professor Schroeder examines into the condition of German law in barbarous times as concerns the rights of property which were vested in married women. He reproduces here in a somewhat enlarged form an essay on the *dos* which appeared in 1861, in which he examined the character of two German institutions, the

Morgengabe and the *Muntschatz*. He shows the close connection existing between the *Muntschatz* and the fine incurred for breach of the *mundium* or guardianship. (*Muntbrüche.*) Then he examines the elements of the matrimonial fortune, and introduces here a remarkable study on two difficult points in the Lex Salica, the *reipus* (Cap. 44), and the *Achasius* (Cap. Chlod.). He next discusses the nature of the advantages secured by Lombard law to the wife on the occasion of marriage (*faderfium*), and by the laws of some other German races. In this connection he casts a glance at the legal position of women in regard to the right of succession. In the second book, after having explained the condition of the matrimonial fortune during marriage, and fixed the limits of the husband's rights over his wife's property and acquisitions, he continues the subject down to the dissolution of the marriage by death or otherwise. And finally he reaches the very interesting historical point, the origin of the community of goods between husband and wife. He finds in the *Morgengabe* the germ of this community, as well as of the modifications which very rapidly converted an insignificant gift from husband to wife, on the consummation of their marriage, into a provision for the eventuality of widowhood (*wittwenversorgung*). This germ will be seen developing itself from the beginning of the Middle Ages.

The system of German law divides itself into three principal groups. Of these, the first treated by Professor Schroeder, the Swabo-Bavarian, is in this connection only a branch of the second or Frankish group. As for the third, the Saxo-Frisian, it also shows signs of having felt Frankish influence. Thanks to the evidence given by the author, the development of the principle of community of goods in marriage is seen to be free from all influence, direct or indirect, of legislation or of Roman jurisprudence. It is simply the community of acquisitions existing in embryo in the Lex Ripuariorum, and growing naturally of its own accord. The author explains very well a point which was obscure before he touched it, how it happened that, since real property was the principal source of acquisitions, the consent of both husband and wife was necessary in order to alienate this source of revenue.

The varieties of the Saxo-Frisian group may be ranged under two types: the Ostfalian, delineated in the Sachsenspiegel and in the Customs of Magdeburg; and the Westfalian, in those of Dortmund, etc. The Ostfalian type presents the rule of unity of property (*Güterein-heit*), which is exactly that of separation of property. Marriage is here without effect on the property. The administration of the joint estate passes to the man by virtue of his right of guardianship. The

personalty of the wife, however, becomes the property of the husband with the exception of a certain class of objects, such as clothes, ornaments, etc., known under the term *Gerade*. The author proves these points by texts showing that the real property acquired by the husband with his wife's money becomes the husband's property, while the fact that the wife is proprietor of the *Gerade* is shown by cases where at the wife's death without heirs, the *Gerade* falls, not to the husband, but, as with goods which have no owner, to the judge. The Westfalian type, even so early as the time of the Lex Saxonum, is remarkable for the peculiarity of distinguishing between productive and unproductive marriages. In the former case Westfalian law follows the Ostfalian (*Gütereinheit*). Soon, however, the municipal law modified the old customary code so as to approach the community of goods. In the case of unproductive marriages, Westfalian law began by tending towards community; so the wife has in her own right not only the real estate which she has brought in marriage, and also the *Gerade*, but half the acquisitions besides. Here, again, municipal law came in to modify the customary; some municipal laws soon ceased to make any distinction between a fertile and a childless marriage. The law of Lübeck is the one which longest preserved in this matter the old Westfalian spirit. These two types sum up the characteristics of Saxo-Frisian law. Frankish law is seen here in its action on the particular customs, of which the Customs of Dortmund may be considered as the most important.

In the history of German law, of which our own may be considered as one branch, there are few chapters more interesting than that which Professor Schroeder has undertaken to write. The variety of systems from which he starts result, or at least tend to result, in unity, which in this case is the community of goods between husband and wife. If the work of Professor Schroeder is difficult reading, he may fairly excuse himself by appealing to the difficulty of the subject, but in any case it is a most valuable contribution to the history of law and society.

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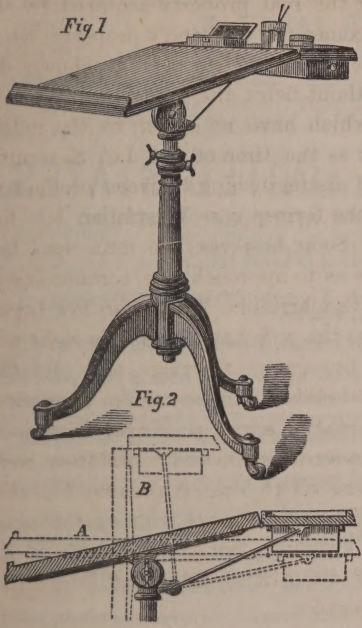

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